

1 Defendants County of San Diego and Jeremy Banks hereby lodge copies of the
2 following exhibits in support of their motion for summary judgment, or alternatively
3 partial summary judgment, as follows:

4 Exhibit A CD Recording and Reporter's Transcript of Audio-Recorded 911 Call
5 by Charles Sommer on September 5, 2014.

6 Exhibit B Arrest Report by Jeremy Banks, CSD-000001-000022.

7 Exhibit C CD Recording and Reporter's Transcript of Audio-Recorded Radio
8 Dispatch Event E1930789.

9 Exhibit D Expert Witness Declaration of Curtis J. Cope, dated May 31, 2016.

10 Exhibit E Expert Witness Supplemental Declaration of Curtis J. Cope, dated
11 August 29, 2016.

12 Exhibit F Excerpts from the deposition transcript of Jeffrey J. Noble, dated June
13 6, 2016.

14 Exhibit G Excerpts from the deposition transcript of Jeremy Banks (Volume I),
15 dated December 7, 2015.

16 Exhibit H Excerpts from the deposition transcript of Mickail Myles, dated
17 February 23, 2016.

18 Exhibit I CD Recording and Reporter's Transcript of Audio-Recorded
19 Interview of Mickail Myles by Jeremy Banks at Fallbrook Hospital Dated September 6,
20 2014.

21 Exhibit J CD Recording and Reporter's Transcript of Recording of Interview of
22 Mickail Myles by Sergeant Brian Hout on September 6, 2014.

23 DATED: October 31, 2016 THOMAS E. MONTGOMERY, County Counsel

24 By: s/ MORRIS G. HILL, Senior Deputy
25 Attorneys for Defendants County of San Diego
26 and Jeremy Banks
27 E-mail: morris.hill@sdcounty.ca.gov
28

EXHIBIT “A”

CD Recording and Reporter’s
Transcript of Audio-Recorded
911 Call by Charles Sommer on
September 5, 2014

(copy of CD to be served on
Plaintiff via U.S. Mail)

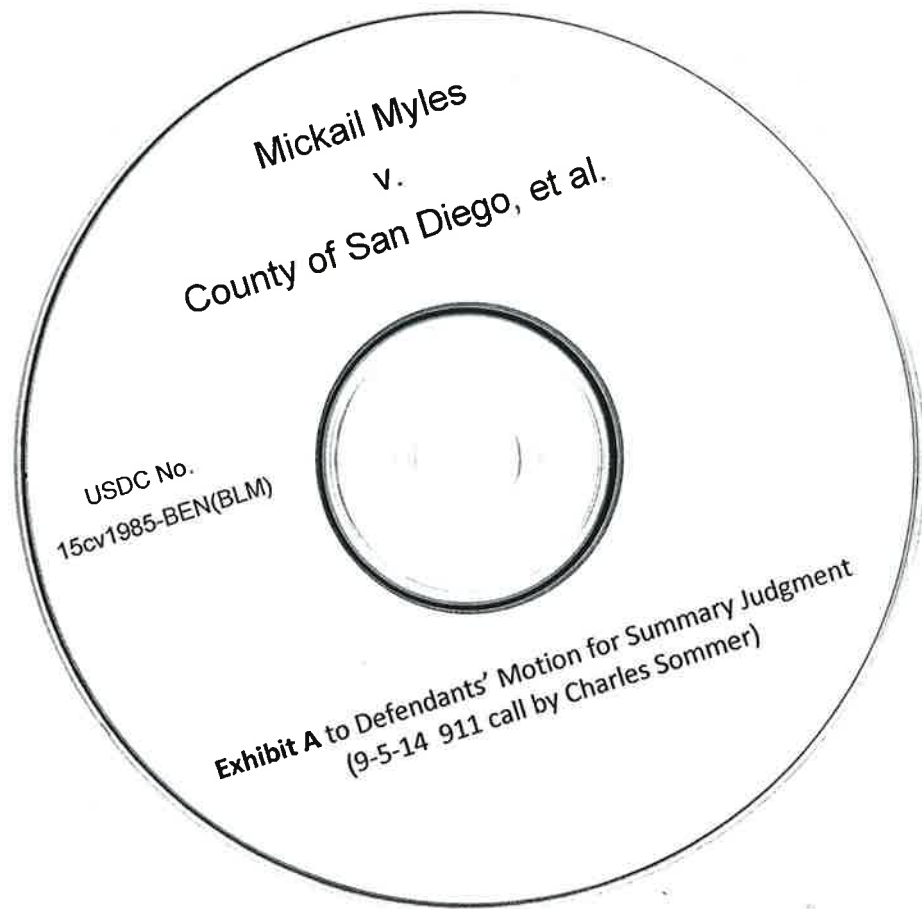


EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MICKAIL MYLES, an individual,)
Plaintiff,)
vs.) Case No.:
COUNTY OF SAN DIEGO, by and) 15-cv-1585-BEN (BLM)
through the SAN DIEGO COUNTY)
SHERIFF'S DEPARTMENT, a public)
entity; and DEPUTY J. BANKS, an)
individual,)
Defendants.)
_____)

REPORTER'S TRANSCRIPT OF AUDIO-RECORDED

911 CALL BY CHARLES SOMMER

ON SEPTEMBER 5, 2014

TRANSCRIBED BY: KIMBERLY A. BROADHURST, CSR NO. 13814

TRANSCRIBED ON: OCTOBER 19, 2016

1 (Begin transcription of audio-recorded
2 radio dispatch, file name: CSD-000106 -
3 E1930789.wav.)
4

5 DISPATCH: 911 emergency (inaudible).

6 MR. SOMMER: Hello.

7 DISPATCH: Hi. How can I help you?

8 MR. SOMMER: Hey, can you send a patrol car
9 down to Avocado Vista in Fallbrook?

10 DISPATCH: Sure. What's the address on Avocado
11 Vista?

12 MR. SOMMER: 3362 is my address. These guys
13 just took off in two different directions. It looks
14 like some were around harassing the local residents.
15 The other two took off in a -- it looks like a white
16 sedan. They're probably heading around the neighborhood
17 right now. They're trying to it looks like break into a
18 vehicle.

19 DISPATCH: It looked like they were breaking
20 into a vehicle?

21 MR. SOMMER: Yeah. There was four of them.
22 Two of them went in one direction sprinting, and then
23 the other two it looked like some neighbors are
24 confronting them.

25 DISPATCH: Okay. So --

1 MR. SOMMER: Hurry, hurry, hurry. (Inaudible)
2 get them down here quickly. It looks like there's going
3 to be an altercation.

4 DISPATCH: Between who? The neighbors?

5 MR. SOMMER: Yeah. They're saying to call the
6 sheriffs. You're going to get another call.

7 DISPATCH: Okay. What's your name?

8 MR. SOMMER: My name is Charles Sommer. I'm
9 the resident here. Please --

10 DISPATCH: Okay. So what's the address that
11 they're actually at?

12 MR. SOMMER: 3362 is my address --

13 DISPATCH: I know. I know --

14 MR. SOMMER: They're a block down.

15 DISPATCH: A block down. So which way?

16 MR. SOMMER: That would be south from my
17 residence.

18 DISPATCH: Okay. And you saw suspects run --

19 MR. SOMMER: Yeah.

20 DISPATCH: -- leaving in a white vehicle, white
21 sedan?

22 MR. SOMMER: Yeah. I couldn't tell. They were
23 like 300 yards away. I couldn't tell the exact color --

24 DISPATCH: So who's still outside aside from
25 your neighbors?

1 MR. SOMMER: These two guys. It looks like
2 there's an altercation. There may be a fight going on
3 right now. It's a good distance that I'm watching it.
4 There's yelling going on.

5 DISPATCH: Okay.

6 MR. SOMMER: You better hurry up and get a car
7 down here quickly.

8 DISPATCH: They're already being dispatched.
9 Me talking to you is not going to hurt anything. I just
10 need to give them the updates. Okay?

11 MR. SOMMER: Sure.

12 DISPATCH: It's not delaying the process.

13 MR. SOMMER: The other vehicle has probably
14 already left the neighborhood. It looks like --
15 originally what happened is they pulled up in the
16 vehicle. They walked down. They looked suspicious in
17 front of my house.

18 They went down to a truck. It looks like they
19 were breaking in. One guy was sliding underneath it.
20 The other guys were checking the car underneath the
21 bumpers and stuff for a hide-a-key or something.

22 DISPATCH: Um-hum.

23 MR. SOMMER: And it looks like a neighbor came
24 out. Two of them ran down the street and jumped in a
25 vehicle and took off. The other two ran the other way,

1 and that's when the neighbors confronted them.

2 DISPATCH: Okay. What did the people who were
3 running look like?

4 MR. SOMMER: They were all probably between the
5 ages of 17 and 20 and Hispanic.

6 DISPATCH: Okay.

7 MR. SOMMER: Kids, basically.

8 DISPATCH: So like teenagers?

9 MR. SOMMER: Yeah.

10 DISPATCH: Do you still hear an argument going
11 on?

12 MR. SOMMER: Yeah. There's something going on.
13 The door is opening and closing. It's a pretty far
14 distance from me. I've been hearing some sort of
15 conversation out loud.

16 DISPATCH: And which -- which way did the white
17 sedan go, do you know?

18 MR. SOMMER: It took off out of the
19 neighborhood.

20 DISPATCH: Okay.

21 MR. SOMMER: And I can't guarantee that it's
22 white, but there's two young Hispanic kids in there.
23 That's them.

24 DISPATCH: Okay. Two Hispanic teens?

25 MR. SOMMER: Yeah. And these other guys are

1 still -- okay. They're still rolling around in the
2 streets --

3 DISPATCH: What do you mean rolling in the
4 street?

5 MR. SOMMER: I mean they're -- they're walking
6 around.

7 DISPATCH: Okay.

8 MR. SOMMER: It looks like somebody is jumping
9 over a fence in the backyard. Somebody is going up to
10 the front door. I keep hearing --

11 DISPATCH: So you think there's more than two
12 total because there's still some people outside?

13 MR. SOMMER: Oh, no. There was four to start
14 with, you know --

15 DISPATCH: Okay.

16 MR. SOMMER: -- involved, and they split up.
17 Now there's two and two.

18 DISPATCH: Do you see which fence they're
19 hopping?

20 MR. SOMMER: Do you hear that? What are they
21 saying down there?

22 DISPATCH: Can you tell me where they're
23 hopping a fence?

24 MR. SOMMER: Say that again?

25 DISPATCH: Can you tell me which direction of

1 the street they're hopping the fence?

2 MR. SOMMER: Okay. Somebody else was saying
3 they were calling the cops right now. So they are about
4 one, two, three, four, five, six, seven houses down the
5 street to the south of my house.

6 DISPATCH: Okay.

7 MR. SOMMER: On the opposite end -- opposite
8 side of the street. The neighbor's got their lights on
9 and stuff. I hear yelling outside.

10 DISPATCH: You still hear yelling?

11 MR. SOMMER: Yeah. If you get -- if you get a
12 car down here now, they could actually --

13 DISPATCH: They're -- they're driving there.
14 We have three of them, and it looks like one of them are
15 going with their lights and sirens on, so they are
16 making this a priority.

17 MR. SOMMER: So you guys got the other call
18 hopefully?

19 DISPATCH: I don't have any other call yet.

20 MR. SOMMER: Okay. Do you hear some yelling
21 down there, Laurie? Yeah. I hear a neighbor saying,
22 What the hell are you doing out here? Blah-blah-blah.
23 I can tell you they were trying to break into this
24 vehicle. I can tell you which one too.

25 DISPATCH: Okay. And just from what you were

1 able to see, could you see what they were trying to
2 break in the vehicle with, if they had any weapons?

3 MR. SOMMER: No, I couldn't tell. Again, it's
4 probably 150, 200 yards from my house.

5 DISPATCH: Okay.

6 MR. SOMMER: These guys (inaudible). He said
7 that they started on Y -- by the time they get there,
8 these guys will probably be gone.

9 The other two kids came sprinting by here and
10 took off in a white vehicle about 100 yards down that
11 (inaudible).

12 They were trying -- yeah. They were trying to
13 break into that truck down there. I watched them. The
14 one guy slid underneath it. The other two were -- one
15 on the side and one was in the front, and they were
16 checking the bumpers. Okay. I'm not sure if that's the
17 neighbor or if that's one of them right there on the
18 corner walking up here.

19 DISPATCH: What are you seeing?

20 MR. SOMMER: I see a neighbor. I don't know if
21 it's a neighbor. It's got to be a neighbor. It looks
22 like an older man walking around his yard trying to
23 figure out because I think some guys jumped the back of
24 the fence.

25 DISPATCH: Okay. And that's still to the south

1 of you?

2 MR. SOMMER: Yeah.

3 DISPATCH: Okay. And that's about seven houses
4 away?

5 MR. SOMMER: Yeah, seven or eight houses away.
6 It's right on the corner. If you go down -- if you can
7 see a map --

8 DISPATCH: Yeah. I'm -- I'm looking at a map.

9 MR. SOMMER: Okay. Go that first little street
10 to the right, go down one more street, the house on the
11 corner, catty-corner --

12 DISPATCH: Are you talking about Riverview
13 Court or Avocado Vista? It looks like your Avocado
14 Vista Lane crosses with the center of Avocado.

15 MR. SOMMER: Yeah. Hey, what's that street
16 there? It's the one that cuts all the way across to --

17 DISPATCH: Lake Circle?

18 MR. SOMMER: Exactly.

19 DISPATCH: Okay. So it's actually listed as
20 Avocado Vista here too.

21 MR. SOMMER: Okay. So we're Avocado Vista
22 Lane. It must be Avocado Vista something else.

23 DISPATCH: Okay.

24 MR. SOMMER: It looks like there's somebody
25 standing outside the house now with a phone.

1 DISPATCH: And you think you saw him jump the
2 fence there? Is it going to be to the --

3 MR. SOMMER: South of where I'm at.

4 DISPATCH: South of where you are, but then
5 what's behind your back yard? Is it just like open
6 land?

7 MR. SOMMER: Nothing. Yeah, open land.

8 DISPATCH: Did you think that hopped that side?

9 MR. SOMMER: No, no, no, no, no.

10 DISPATCH: Okay. The other side.

11 MR. SOMMER: They're in the neighborhood. I
12 could still see. There's still -- it looks like the
13 neighbors looking (inaudible). He's looking around his
14 yard trying to figure out.

15 And there's two guys that are kind of out front
16 moving, and I think it's those two leftover guys. I
17 think they all came in that one vehicle, and that one
18 vehicle took off with two guys.

19 DISPATCH: And left the two there?

20 MR. SOMMER: Right.

21 DISPATCH: So you think one suspect could
22 possibly still be outside with your neighbor?

23 MR. SOMMER: Two.

24 DISPATCH: Two.

25 (Speaking simultaneously.)

1 DISPATCH: Well, didn't you say one hopped the
2 fence?

3 MR. SOMMER: Two are in that area.

4 DISPATCH: Okay.

5 MR. SOMMER: The neighbor is walking around the
6 street right now kind of looking around to see what's
7 going on.

8 DISPATCH: Is your -- it doesn't look like --

9 MR. SOMMER: What's the ETA? How far are they
10 away?

11 DISPATCH: Let me see. It looks like he's on
12 Pala Road now.

13 MR. SOMMER: On which road?

14 DISPATCH: Pala Road.

15 MR. SOMMER: Oh, (inaudible).

16 DISPATCH: I mean, you are a bit of a ways away
17 from the town of Fallbrook --

18 (Speaking simultaneously.)

19 DISPATCH: -- in the city, you know, where
20 they -- the station is.

21 MR. SOMMER: Yeah. This is the same place they
22 had that problem last week with that one guy. Mr. San
23 Marcos on his lip.

24 DISPATCH: I'm sorry. What?

25 MR. SOMMER: That guy last week, Mr. San

1 Marcos. I don't know if you -- he tattooed San Marcos
2 on his upper lip?

3 DISPATCH: Oh, I'm not familiar with him.

4 MR. SOMMER: (Laughing) yeah, a car jacking
5 (inaudible) --

6 DISPATCH: Oh, it was something that happened
7 in your neighborhood?

8 MR. SOMMER: Yeah.

9 DISPATCH: Okay. Is your neighbor still
10 outside?

11 MR. SOMMER: Yeah, yeah. He's standing right
12 in the middle of the street looking around trying to
13 figure out what's going on. I bet those guys are --
14 they're in the area, but they're not -- I don't think
15 (inaudible) now.

16 DISPATCH: Okay. You don't have control of the
17 suspects.

18 MR. SOMMER: Like the neighbors is kind of
19 walking around the house probably wondering what the
20 heck is going on because they had -- for some reason
21 they ran to the front door and then they ran to the side
22 and I saw one of the guys kind of hop the fence to the
23 side.

24 There had to be three people -- I think they're
25 still there. That looks like one of them. That white

1 shirt is probably one of them.

2 DISPATCH: Still waiting with the neighbor?

3 MR. SOMMER: Yeah.

4 DISPATCH: The neighbor hasn't -- it doesn't
5 look like anybody else has called in.

6 MR. SOMMER: Okay. Okay. (Inaudible) I can't
7 tell because a couple people came out of the house. I
8 don't know if there was two or three of them that came
9 out of the house, but there's now three of them standing
10 out front. One guy's got his hand on his hip. The
11 other guy is standing there just talking.

12 DISPATCH: Okay.

13 MR. SOMMER: If you go down there, you could
14 get an idea of what's happened down there. Because for
15 me, I'm looking, like I said, several hundred yards down
16 the road.

17 DISPATCH: All right. It looks like we are
18 just getting another call now, so maybe it's your
19 neighbor calling.

20 MR. SOMMER: Okay.

21 DISPATCH: All right. Well, I can let you go
22 for now. If anything, just give us a call back if you
23 get any more information.

24 And then when the deputies get there, if you
25 want, you can go out and talk to them or they'll call

1 you. Okay?

2 MR. SOMMER: Thank you.

3 DISPATCH: You're welcome.

4 MR. SOMMER: All right, bye.

5 DISPATCH: Bye.

6 (End transcription of audio recording,
7 file name: CSD-000106 - E1930789.wav.)

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1 I, KIMBERLY A. BROADHURST, a Certified
2 Shorthand Reporter for the State of California, do
3 hereby certify:

4 That the foregoing document is a verbatim
5 transcription prepared from the electronic sound
6 recording provided to me of the proceedings in the
7 above-entitled matter; that the foregoing is a true and
8 accurate transcription of said recording, to the best of
9 my ability.

10

11 Dated this 19th day of October, 2016.

12

13

14

15

16 _____
KIMBERLY A. BROADHURST, CSR 13814

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A	city 11:19 closing 5:13 color 3:23 confronted 5:1 confronting 2:24 control 12:16 conversation 5:15 cops 7:3 corner 8:18 9:6,11 COUNTY 1:7,8 couple 13:7 Court 1:1 9:13 crosses 9:14 CSD-000106 2:2 14:7 CSR 1:20 15:16 cuts 9:16	B	back 8:23 10:5 13:22 backyard 6:9 BANKS 1:10 basically 5:7 best 15:8 bet 12:13 better 4:6 bit 11:16 Blah-blah-blah 7:22 BLM 1:7 block 3:14,15 break 2:17 7:23 8:2 8:13 breaking 2:19 4:19 BROADHURST 1:20 15:1,16 bumpers 4:21 8:16 bye 14:4,5	C	California 1:2 15:2 call 1:17 3:5,6 7:17 7:19 13:18,22,25 called 13:5 calling 7:3 13:19 car 2:8 4:6,20 7:12 12:4 Case 1:6 catty-corner 9:11 center 9:14 Certified 15:1 certify 15:3 Charles 1:17 3:8 checking 4:20 8:16 Circle 9:17	D	Dated 15:11 day 15:11 Defendants 1:12 delaying 4:12 DEPARTMENT 1:9 deputies 13:24 DEPUTY 1:10 DIEGO 1:7,8 different 2:13 direction 2:22 6:25 directions 2:13 dispatch 2:2,5,7,10 2:19,25 3:4,7,10 3:13,15,18,20,24 4:5,8,12,22 5:2,6 5:8,10,16,20,24 6:3,7,11,15,18,22 6:25 7:6,10,13,19 7:25 8:5,19,25 9:3 9:8,12,17,19,23 10:1,4,8,10,19,21 10:24 11:1,4,8,11 11:14,16,19,24 12:3,6,9,16 13:2,4 13:12,17,21 14:3 14:5 dispatched 4:8 distance 4:3 5:14 DISTRICT 1:1,2 document 15:4 doing 7:22 door 5:13 6:10 12:21 driving 7:13	E	E1930789.wav 2:3 14:7	F	Fallbrook 2:9 11:17 familiar 12:3 far 5:13 11:9 fence 6:9,18,23 7:1 8:24 10:2 11:2 12:22 fight 4:2 figure 8:23 10:14 12:13 file 2:2 14:7 first 9:9 five 7:4 foregoing 15:4,7 four 2:21 6:13 7:4 front 4:17 6:10 8:15 10:15 12:21 13:10	G	getting 13:18 give 4:10 13:22 go 5:17 9:6,9,10 13:13,21,25 going 3:2,6 4:2,4,9 5:10,12 6:9 7:15 10:2 11:7 12:13 12:20 good 4:3 guarantee 5:21 guy 4:19 8:14 11:22 11:25 13:11 guy's 13:10 guys 2:12 4:1,20 5:25 7:17 8:6,8,23 10:15,16,18 12:13 12:22	H	hand 13:10 happened 4:15 12:6 13:14 harassing 2:14 heading 2:16 hear 5:10 6:20 7:9 7:10,20,21 hearing 5:14 6:10 heck 12:20 hell 7:22 Hello 2:6 help 2:7	I	Hey 2:8 9:15 Hi 2:7 hide-a-key 4:21 hip 13:10 Hispanic 5:5,22,24 hop 12:22 hopefully 7:18 hopped 10:8 11:1 hopping 6:19,23 7:1 house 4:17 7:5 8:4 9:10,25 12:19 13:7,9 houses 7:4 9:3,5 hundred 13:15 hurry 3:1,1,1 4:6 hurt 4:9	J	J 1:10 jacking 12:4 jump 10:1 jumped 4:24 8:23 jumping 6:8	K	keep 6:10 kids 5:7,22 8:9 KIMBERLY 1:20 15:1,16 kind 10:15 11:6 12:18,22 know 3:13,13 5:17 6:14 8:20 11:19 12:1 13:8	L	Lake 9:17 land 10:6,7 Lane 9:14,22 Laughing 12:4 Laurie 7:21 leaving 3:20 left 4:14 10:19 leftover 10:16 lights 7:8,15 lip 11:23 12:2 listed 9:19 little 9:9	M	local 2:14 look 5:3 11:8 13:5 looked 2:19,23 4:16 looking 9:8 10:13,13 11:6 12:12 13:15 looks 2:13,15,17 3:2 4:1,14,18,23 6:8 7:14 8:21 9:13,24 10:12 11:11 12:25 13:17 loud 5:15	N	name 2:2 3:7,8 14:7 need 4:10 neighbor 4:23 7:21 8:17,20,21,21 10:22 11:5 12:9 13:2,4,19 neighbor's 7:8 neighborhood 2:16 4:14 5:19 10:11 12:7 neighbors 2:23 3:4 3:25 5:1 10:13 12:18	O	October 1:21 15:11 Oh 6:13 11:15 12:3 12:6 okay 2:25 3:7,10,18 4:5,10 5:2,6,20,24 6:1,7,15 7:2,6,20 7:25 8:5,16,25 9:3 9:9,19,21,23 10:10 11:4 12:9 12:16 13:6,6,12 13:20 14:1 older 8:22 open 10:5,7 opening 5:13 opposite 7:7,7 originally 4:15 outside 3:24 6:12
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7:9 9:25 10:22 12:10	sedan 2:16 3:21 5:17 see 6:18 8:1,1,20 9:7 10:12 11:6,11 seeing 8:19 send 2:8 SEPTEMBER 1:18 seven 7:4 9:3,5 SHERIFF'S 1:9 sheriffs 3:6 shirt 13:1 Shorthand 15:2 side 7:8 8:15 10:8 10:10 12:21,23 simultaneously 10:25 11:18 sirens 7:15 six 7:4 slid 8:14 sliding 4:19 somebody 6:8,9 7:2 9:24 Sommer 1:17 2:6,8 2:12,21 3:1,5,8,8 3:12,14,16,19,22 4:1,6,11,13,23 5:4 5:7,9,12,18,21,25 6:5,8,13,16,20,24 7:2,7,11,17,20 8:3 8:6,20 9:2,5,9,15 9:18,21,24 10:3,7 10:9,11,20,23 11:3,5,9,13,15,21 11:25 12:4,8,11 12:18 13:3,6,13 13:20 14:2,4 sorry 11:24 sort 5:14 sound 15:5 south 3:16 7:5 8:25 10:3,4 SOUTHERN 1:2 Speaking 10:25 11:18 split 6:16 sprinting 2:22 8:9 standing 9:25 12:11 13:9,11 start 6:13 started 8:7 State 15:2 STATES 1:1 station 11:20 street 4:24 6:4 7:1,5 7:8 9:9,10,15 11:6 12:12 streets 6:2 stuff 4:21 7:9	sure 2:10 4:11 8:16 suspect 10:21 suspects 3:18 12:17 suspicious 4:16	W waiting 13:2 walked 4:16 walking 6:5 8:18,22 11:5 12:19 want 13:25 watched 8:13 watching 4:3 way 3:15 4:25 5:16 9:16 ways 11:16 we're 9:21 weapons 8:2 week 11:22,25 welcome 14:3 went 2:22 4:18 white 2:15 3:20,20 5:16,22 8:10 12:25 wondering 12:19	3362 2:12 3:12
P Pala 11:12,14 patrol 2:8 people 5:2 6:12 12:24 13:7 phone 9:25 place 11:21 Plaintiff 1:5 Please 3:9 possibly 10:22 prepared 15:5 pretty 5:13 priority 7:16 probably 2:16 4:13 5:4 8:4,8 12:19 13:1 problem 11:22 proceedings 15:6 process 4:12 provided 15:6 public 1:9 pulled 4:15	T talk 13:25 talking 4:9 9:12 13:11 tattooed 12:1 teenagers 5:8 teens 5:24 tell 3:22,23 6:22,25 7:23,24 8:3 13:7 Thank 14:2 think 6:11 8:23 10:1 10:8,16,17,21 12:14,24 three 7:4,14 12:24 13:8,9 time 8:7 total 6:12 town 11:17 TRANSCRIBED 1:20,21 TRANSCRIPT 1:16 transcription 2:1 14:6 15:5,8 truck 4:18 8:13 true 15:7 trying 2:17 7:23 8:1 8:12,12,22 10:14 12:12 two 2:13,15,22,23 4:1,24,25 5:22,24 6:11,17,17 7:4 8:9 8:14 10:15,16,18 10:19,23,24 11:3 13:8	X Y Y 8:7 yard 8:22 10:5,14 yards 3:23 8:4,10 13:15 yeah 2:21 3:5,19,22 5:9,12,25 7:11,21 8:12 9:2,5,8,15 10:7 11:21 12:4,8 12:11,11 13:3 yelling 4:4 7:9,10,20 young 5:22	4 5 5 1:18 6 7 8 9 911 1:17 2:5	
Q quickly 3:2 4:7	U Um-hum 4:22 underneath 4:19,20 8:14 UNITED 1:1 updates 4:10 upper 12:2	Z 0 1 100 8:10 13814 1:20 15:16 15-cv-1585-BEN 1:7 150 8:4 17 5:5 19 1:21 19th 15:11		
R radio 2:2 ran 4:24,25 12:21 12:21 reason 12:20 recording 14:6 15:6 15:8 Reporter 15:2 REPORTER'S 1:16 residence 3:17 resident 3:9 residents 2:14 right 2:17 4:3 7:3 8:17 9:6,10 10:20 11:6 12:11 13:17 13:21 14:4 Riverview 9:12 road 11:12,13,14 13:16 rolling 6:1,3 run 3:18 running 5:3	V vehicle 2:18,20 3:20 4:13,16,25 7:24 8:2,10 10:17,18 verbatim 15:4 Vista 2:9,11 9:13,14 9:20,21,22 vs 1:6	2 20 5:5 200 8:4 2014 1:18 2016 1:21 15:11		
S San 1:7,8 11:22,25 12:1 saw 3:18 10:1 12:22 saying 3:5 6:21 7:2 7:21		3 300 3:23		

EXHIBIT “B”

	Diego County Sheriff's Department Arrest/Juvenile Contact Report		1 Page 1 of 13
	CAD Event No: E1930789 Primary Victim: State of California	Case No: 14145536 Report No: 14145536.1	

<input checked="" type="checkbox"/> ARREST REPORT <input type="checkbox"/> JUVENILE CONTACT REPORT	WARRANT: <input type="checkbox"/> LOCAL <input type="checkbox"/> OUT
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GENERAL CASE INFORMATION			
Primary Charge: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)			
Special Studies:		Related Cases:	
Location, City, State, ZIP: 5000 Block Of Dulin Road, Fallbrook, CA 92028		Occurred On: 09/06/2014 00:01:00 (Saturday)	
Jurisdiction: Fallbrook - FALLBROOK	Beat: 388	Call Source: ANI/ALI	(and Between):
Means:	Motives:		

VICTIMS
IBR/UCR OFFENSES

Offense Description: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)		Level: M	Against:	Completed? Yes	Counts:	Using:
Location Type: 13 - Highway/Road/Alley		Hate/Bias: 88 - None (No Bias)		Domestic Violence: No		
Criminal Activity:	Type Security:	Gang Related: No	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				

ARRESTEE/S

Arrestee #1

Name: Myles, Mickail Dangelo	County Residence: R - Resident	Interpreter Language:
--	--	-----------------------

ALIAS / AKA / NICKNAME / MONIKER							
Name Type:		First:	Middle:	Last:	Suffix:		
Home Address, City, State, ZIP: 3350 Avocado Vista, Fallbrook, CA 92028				Res. Country: US	Place of Birth:	Undocumented:	
Race: B	Sex: M	Date of Birth / Age: 09/18/1987 - 26	Height: 5' 8"	Weight: 180 lbs	Hair Color: BLK	Eye Color: BRO	Facial Hair: 05 - Goatee and Mustache
Complexion: BLK - Black							
Hair Style: A - Afro/Natural	Hair Length: S - Short	Build: M - Medium	Teeth: 1 - Normal		Suspected User:		
Employment Status: E - Employed	Occupation/Grade: Day Caregiver	Employer/School: Browne Child Development Center	Employer Address, City, State, ZIP: Camp Pendleton, Camp Pendleton, CA 92055				

CONTACT INFORMATION	
Type: MP - Mobile Phone	Number/Address: 760 696-7256

IDENTIFICATION	
Type: DLN - Drivers License Number	Number: D9391550
State: CA	Country:

SCARS, MARKS, TATTOOS, ODDITIES	
Attire: white shirt and grey jeans	Suspect Actions:

ARREST INFORMATION					
Arrest Type: O - Probable Cause Arrest - New Case	LE Disposition: 3 - Misdemeanor (Adult Only)	JUS 750 Type: 1 - Cited	Citation No.: 634733	Booking No.:	
Arrested For: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)			Level: M	Completed: Yes	Counts:
Arrested By: SH7123 - BANKS, JEREMY	Arrest Date and Time: 09/06/2014 00:15:00	Arrest Location, City, State, ZIP: 5000 Block Dulin Rd, Fallbrook, CA 92028		Beat: 388	

Reporting Officer: SH7123 - BANKS, JEREMY	Division / Organization: Fallbrook Substation FALLBROOK PATROL	Reviewed By: SH2720 - BAGGS, AMBER
Report Date: 9/6/2014 2:31:05 AM	Detective Assigned: SH7549 - MAYORDELEON, YANCEY	Reviewed Date: 09/09/2014 12:10:49

CSD-000001

Exhibit B

	San Diego County Sheriff's Department Arrest/Juvenile Contact Report			2 <small>Page 2 of 13</small>
	CAD Event No: E1930789 Primary Victim: State of California	Case No: 14145536 Report No: 14145536.1		

Arrest Assisted By: SH2184 - POCKLINGTON, DAVID SH5112 - ERTZ, DAVID SH6936 - BRUMFIELD, ANDREW SH7328 - HARRIS, ZACHARY SH7898 - ALLISON, SHANE SH0600 - BUSHNELL, RONALD				Transported By:	
Miranda Read: Yes	Admonished By: SH7123 - BANKS, JEREMY	Miranda Response: YES/YEA	Jail Billing Code: SD Sheriff's Office	Booked Location:	
Armed With: 01 - Unarmed		Use of Force to effect Arrest: Yes			
JUVENILES					
Adult Present:	Person Notified:	Juvenile Disposition:	Detention Name:		
Parents Notified By:	Notification Method:	Date and Time Notified:	Juvenile Released To:		
RELEASE INFORMATION					
Released Location: 624 E. Elder Street Fallbrook Hospital	Released On: 09/06/2014 02:00:00	Released By: SH7123 - BANKS, JEREMY	Release Reason: 02 - Cite and Release		

SUSPECT/S (Not Yet Arrested) WITNESSES

Witness #1

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other	Name: Sauls, Elsie Emanuel	Person Code: 06 - Other Lay Witness	County Residence: R - Resident
---	--------------------------------------	---	--

ALIAS / AKA / NICKNAME / MONIKER:									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP:						Res. Country:		Place of Birth:	
3350 Avocado Vista Ln, Fallbrook, CA 92028						US		No	
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
B	M	03/12/1994 - 20	5' 7"	150 lbs	BLK	BRO	01 - Clean Shaven	BLK - Black	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
E - Employed		Clerk		United Sullivan and Storage		2611 Island Way, Vista, CA 92083			
CONTACT INFORMATION:									
Type:						Number/Address:			
MP - Mobile Phone						760 689-8714			
IDENTIFICATION:									
Type:				Number:		State:		Country:	
DLN - Drivers License Number				F2598491		CA		US	
Injury:						Extent of Treatment:			

Witness #2

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other	Name: Dorsett, Michael	Person Code: 06 - Other Lay Witness	County Residence: R - Resident
---	----------------------------------	---	--

ALIAS / AKA / NICKNAME / MONIKER:									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP:						Res. Country:		Place of Birth:	
5020 Dulin Road, Fallbrook, CA 92028						US		No	
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
W	M	11/30/1950 - 63			GRY		12 - None/Fuzz	LGT - Light	

Reporting Officer: SH7123 - BANKS, JEREMY	Division / Organization: Fallbrook Substation FALLBROOK PATROL	Reviewed By: SH2720 - BAGGS, AMBER
Report Date: 9/6/2014 2:31:05 AM	Detective Assigned: SH7549 - MAYORDELEON, YANCEY	Reviewed Date: 09/09/2014 12:10:49

CSD-000002

Exhibit B

	San Diego County Sheriff's Department		
	Arrest/Juvenile Contact Report		
	CAD Event No: E1930789	Case No: 14145536	3
	Primary Victim: State of California	Report No: 14145536.1	Page 3 of 13

Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:
CONTACT INFORMATION			
Type: MP - Mobile Phone	Number/Address: 818 331-6242		
IDENTIFICATION			
Type: DLN - Drivers License	Number: [REDACTED]	State: CA	Country: US
Injury:		Extent of Treatment:	

Witness #3

Person Code: <input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer	<input checked="" type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert
		<input type="checkbox"/> 13-Investigator	<input type="checkbox"/> 14-Other
Name: Dorsett, Taylor		Person Code: 06 - Other Lay Witness	County Residence: R - Resident

ALIAS / AKA / NICKNAME / MONIKER							
Name Type:		First:	Middle:	Last:	Suffix:		
Home Address, City, State, ZIP: 5020 Dulin Road, Fallbrook, CA 92028				Res. Country: US	Place of Birth:	Undocumented: No	
Race: W	Sex: F	Date of Birth / Age: 08/29/1992 - 22	Height: 5' 0"	Weight: 200 lbs	Hair Color: BRO	Eye Color:	Facial Hair: 12 - None/Fuzz
							Complexion: LGT - Light
Employment Status:		Occupation/Grade:	Employer/School:		Employer Address, City, State, ZIP:		
CONTACT INFORMATION							
Type: MP - Mobile Phone				Number/Address: 760 681-7278			
IDENTIFICATION							
Type:		Number:	State:		Country:		
Injury:				Extent of Treatment:			

Witness #4


Person Code: <input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer	<input checked="" type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert
		<input type="checkbox"/> 13-Investigator	<input type="checkbox"/> 14-Other
Name: Vanni, Steven Eugene		Person Code: 06 - Other Lay Witness	County Residence: R - Resident

ALIAS / AKA / NICKNAME / MONIKER							
Name Type:		First:	Middle:	Last:	Suffix:		
Home Address, City, State, ZIP: 1086 Inverlochy Dr, Fallbrook, CA 92028				Res. Country: US	Place of Birth:	Undocumented: No	
Race: W	Sex: M	Date of Birth / Age: 03/27/1965 - 49	Height: 5' 9"	Weight: 165 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair: 12 - None/Fuzz
							Complexion: LGT - Light
Employment Status:		Occupation/Grade:	Employer/School:		Employer Address, City, State, ZIP:		
CONTACT INFORMATION							
Type: MP - Mobile Phone				Number/Address: 760 458-1580			
Type: HP - Home Phone				Number/Address: 760 731-2793			
IDENTIFICATION							
Type: DLN - Drivers License		Number: [REDACTED]	State: CA		Country: US		
Injury:				Extent of Treatment:			

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

CSD-000003

Exhibit B

	San Diego County Sheriff's Department		
	Arrest/Juvenile Contact Report		
	CAD Event No: E1930789	Case No: 14145536	4
Primary Victim: State of California		Report No: 14145536.1	Page 4 of 13

Witness #5

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Sales, Errol					Person Code: 06 - Other Lay Witness			County Residence: R - Resident	
ALIAS / AKA / NICKNAME / MONIKER: Name Type: _____ First: _____ Middle: _____ Last: _____ Suffix: _____ Home Address, City, State, ZIP: 5097 Avocado Vista Lane, Fallbrook, CA 92028 Res. Country: US Place of Birth: _____ Undocumented: No Race: F Sex: M Date of Birth / Age: 06/17/1976 - 38 Height: 5' 7" Weight: 165 lbs Hair Color: BRO Eye Color: BLU Facial Hair: 12 - None/Fuzz Complexion: LBR - Light Brown Employment Status: _____ Occupation/Grade: _____ Employer/School: _____ Employer Address, City, State, ZIP: _____									
CONTACT INFORMATION: Type: MP - Mobile Phone Number/Address: 858 752-7247 IDENTIFICATION: Type: _____ Number: _____ State: _____ Country: _____ Injury: _____ Extent of Treatment: _____									

Witness #6


Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Sales, Stephne					Person Code: 06 - Other Lay Witness			County Residence: R - Resident	
ALIAS / AKA / NICKNAME / MONIKER: Name Type: _____ First: _____ Middle: _____ Last: _____ Suffix: _____ Home Address, City, State, ZIP: 5097 Avocado Vista Lane, Fallbrook, CA 92028 Res. Country: US Place of Birth: _____ Undocumented: No Race: F Sex: F Date of Birth / Age: 04/23/1981 - 33 Height: 5' 7" Weight: 175 lbs Hair Color: BLK Eye Color: BRO Facial Hair: 12 - None/Fuzz Complexion: LBR - Light Brown Employment Status: _____ Occupation/Grade: _____ Employer/School: _____ Employer Address, City, State, ZIP: _____									
CONTACT INFORMATION: Type: _____ Number/Address: _____ IDENTIFICATION: Type: DLN - Drivers License Number Number: XXXXXXXXXX State: CA Country: US Injury: _____ Extent of Treatment: _____									

Witness #7

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Sommer, Charles					Person Code: 06 - Other Lay Witness			County Residence: R - Resident	
ALIAS / AKA / NICKNAME / MONIKER: Name Type: _____ First: _____ Middle: _____ Last: _____ Suffix: _____ Home Address, City, State, ZIP: 3362 Avocado Vista Lane, Fallbrook, CA 92028 Res. Country: US Place of Birth: _____ Undocumented: No Race: W Sex: M Date of Birth / Age: 04/16/1965 - 49 Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____ Facial Hair: _____ Complexion: _____ Employment Status: _____ Occupation/Grade: _____ Employer/School: _____ Employer Address, City, State, ZIP: _____									
Reporting Officer SH7123 - BANKS, JEREMY			Division / Organization Fallbrook Substation FALLBROOK PATROL			Reviewed By SH2720 - BAGGS, AMBER			
Report Date 9/6/2014 2:31:05 AM			Detective Assigned SH7549 - MAYORDELEON, YANCEY			Reviewed Date 09/09/2014 12:10:49			

CSD-000004

Exhibit B

	San Diego County Sheriff's Department		5
	Arrest/Juvenile Contact Report		
CAD Event No:	E1930789	Case No:	14145536
Primary Victim:	State of California	Report No:	14145536.1

Page 5 of 13

CONTACT INFORMATION			
Type:		Number/Address:	
MP - Mobile Phone		760 809-2940	
IDENTIFICATION			
Type:	Number:	State:	Country:
Injury:	Extent of Treatment:		

Witness #8

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert
		<input type="checkbox"/> 13-Investigator	<input type="checkbox"/> 14-Other	
Name:			Person Code:	County Residence:
Ference, Michael				R - Resident

ALIÁS / AKA / NICKNAME / MONIKER									
Name Type:		First:	Middle:	Last:	Suffix:				
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:
3382 Avocado Vista Lane, Fallbrook, CA 92028					US				No
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
E - Employed		Lieutenant		State of California - Fish and Game		3883 Ruffin Road, San Diego, CA 92123			
CONTACT INFORMATION									
Type:					Number/Address:				
MP - Mobile Phone					760 535-5735				
Type:					Number/Address:				
WP - Work Phone					760 723-5963				
IDENTIFICATION									
Type:	Number:			State:			Country:		
Injury:	Extent of Treatment:								

Witness #9

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input checked="" type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert
		<input type="checkbox"/> 13-Investigator	<input type="checkbox"/> 14-Other	
Name:			Person Code:	County Residence:
Ordonez, Osvuldo			06 - Other Lay Witness	R - Resident

ALIÁS / AKA / NICKNAME / MONIKER									
Name Type:		First:	Middle:	Last:	Suffix:				
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:
738 Knoll Oak Lane, Fallbrook, CA 92028					US				No
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
H	M	12/14/1995 - 18	5' 7"	160 lbs	BLK	BRO	12 - None/Fuzz	LBR - Light Brown	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
CONTACT INFORMATION									
Type:					Number/Address:				
IDENTIFICATION									
Type:	Number:			State:			Country:		
Injury:	Extent of Treatment:								

Reporting Officer	Division / Organization	Reviewed By
SH7123 - BANKS, JEREMY	Fallbrook Substation FALLBROOK PATROL	SH2720 - BAGGS, AMBER
Report Date	Detective Assigned	Reviewed Date
9/6/2014 2:31:05 AM	SH7549 - MAYORDELEON, YANCEY	09/09/2014 12:10:49


NotRMS_CASDCR.rtf v11-15-06

Printed By SH2423

Printed: March 11, 2015 - 7:31 AM

CSD-000005

Exhibit B

	San Diego County Sheriff's Department		Arrest/Juvenile Contact Report	
	CAD Event No: E1930789	Case No: 14145536	6	
	Primary Victim: State of California	Report No: 14145536.1	Page 6 of 13	

Witness #10

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Garcia, Elizabeth					Person Code:		County Residence: R - Resident		
ALIAS / AKA / NICKNAME / MONIKER									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP: 5020 Dulin Rd., Fallbrook, CA 92028					Res. Country: US		Place of Birth:		Undocumented: No
Race:	Sex: F	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
CONTACT INFORMATION									
Type:					Number/Address:				
IDENTIFICATION									
Type:					Number:		State:		Country:
Injury:					Extent of Treatment:				

Witness #11

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Barajas, Guillemina					Person Code:		County Residence:		
ALIAS / AKA / NICKNAME / MONIKER									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP: 5012 Dulin Road, Fallbrook, CA 92028					Res. Country:		Place of Birth:		Undocumented:
Race:	Sex: F	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			
CONTACT INFORMATION									
Type:					Number/Address:				
IDENTIFICATION									
Type:					Number:		State:		Country:
Injury:					Extent of Treatment:				

Witness #12

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Uriostegui, Heidi					Person Code:		County Residence: R - Resident		
ALIAS / AKA / NICKNAME / MONIKER									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP: 5012 Dulin Road, Fallbrook, CA 92028					Res. Country: US		Place of Birth:		Undocumented: No
Race:	Sex: F	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:			

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

	San Diego County Sheriff's Department Arrest/Juvenile Contact Report		7 Page 7 of 13
	CAD Event No: E1930789 Primary Victim: State of California	Case No: 14145536 Report No: 14145536.1	

CONTACT INFORMATION:			
Type:		Number/Address:	
IDENTIFICATION			
Type:	Number:	State:	Country:
Injury:		Extent of Treatment:	

OTHER ENTITIES
PROPERTY

Property Item #1.000 - Photo/ Audio CD

Derivative No.: 0	Property Category: 1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative		
Status: ES - Evidence (Seized)	Count: 1	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date: 09/06/2014		
Owner:	Disposition: Evidence		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			


Property Item #2.000 - Ford F-250

Derivative No.: 0	Property Category: 3501 - Automobile/Light Truck (not Stolen or Recovered)		
Status: I - Information Only	Count: 1	Value:	
Manufacturer: Ford	Model: F250 Supercab (pickup)		
Serial No.:	Model Year: 2008	OAN:	
Color:	Caliber:		
Body Style: PK - Pickup	Recovered/ Seized Date:		
Owner: RO: W8 - Ference, Michael LO: W8 - Ference, Michael	Disposition: Info Only		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

Additional Vehicle / Plate Information

License No.:	License Type: CO - Commercial	License Year: 2008	License State: CA - California	Number of Plates: 2	Registration Expiration: May 2015	Odometer Reading:
VIN:	VIN Clear SVS? Yes		Lic. Clear SVS? Yes		Engine Number:	Owner's Valuation:
Vehicle Condition:			Vehicle Items:			
Vehicle Tires/Wheels						
Left Front:	Right Front:	Left Rear:	Right Rear:	Spare:	Hub Caps:	Special Wheels:
Identifying Marks, Damage: Interior (Describe Color(s), if Customized, Etc.):						
Insurance Carrier:		Policy Number:		Vehicle Payments Current?		
Vehicle Security / Anti-Theft Devices:			Towed To / Stored At:		Drivable?	

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

	Diego County Sheriff's Department		8
	Arrest/Juvenile Contact Report		
CAD Event No:	E1930789	Case No:	14145536
Primary Victim:	State of California	Report No:	14145536.1

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Location Towed / Recovered From:		Location Stolen From:	
Tow Company:	Tow Company Address:	Tow Company Phone:	
Storage Authority / Reason:		Release to Owner Authorized:	Agency Hold:
Originating Agency:		Org. Agency Case Number:	Org. Agency Date of Theft:

Property Item #3.000 - 2004 Mitsubishi Eclipse

Derivative No.: 0	Property Category: 3501 - Automobile/Light Truck (not Stolen or Recovered)		
Status: I - Information Only	Count: 1	Value:	
Manufacturer: Mitsubishi	Model: Eclipse		
Serial No:	Model Year: 2004	OAN:	
Color: White	Caliber:		
Body Style: 2D - Sedan, 2-door, automobile	Recovered/ Seized Date:		
Owner: RO: A1 - Myles, Mickail Dangelo LO: A1 - Myles, Mickail Dangelo	Disposition: Info Only		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

Additional Vehicle / Plate Information

License No.: 5MFS363	License Type: PC - Regular Passenger Auto	License Year: 2004	License State: CA - California	Number of Plates: 2	Registration Expiration: Feb 2015	Odometer Reading:
VIN: 4A3AC84H94E038150		VIN Clear SVS? Yes	Lic. Clear SVS? Yes	Engine Number:	Owner's Valuation:	
Vehicle Condition:			Vehicle Items:			
Vehicle Tires/Wheels						
Left Front:	Right Front:	Left Rear:	Right Rear:	Spare:	Hub Caps:	Special Wheels:
Identifying Marks, Damage, Interior (Describe Color(s), If Customized, Etc.)						
Insurance Carrier:		Policy Number:		Vehicle Payments Current?		
Vehicle Security / Anti-Theft Devices:			Towed To / Stored At:		Drivable?	
Location Towed / Recovered From:				Location Stolen From:		
Tow Company:		Tow Company Address:		Tow Company Phone:		
Storage Authority / Reason:				Release to Owner Authorized:		Agency Hold:
Originating Agency:				Org. Agency Case Number:		Org. Agency Date of Theft:

REPORT NARRATIVE**Synopsis:**

On 09/05/2014, at about 2345 hours, Charles Sommer observed four unknown race males by a 2008 Ford F-250 ([REDACTED] /CA). The vehicle was parked by 3362 Avocado Vista Lane, Fallbrook. One of the

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49


NeIRMS_CASDCR rtf v11-15-06

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Printed: March 11, 2015 - 7:31 AM

CSD-000008

Exhibit B

	Diego County Sheriff's Department Arrest/Juvenile Contact Report		9 <small>Page 9 of 13</small>
	CAD Event No.: E1930789 Primary Victim: State of California	Case No.: 14145536 Report No.: 14145536.1	

males crawled under the truck and tampered with the vehicle. All of a sudden the males ran from the area. Two males entered a white sedan. Michael Ference detained one of the suspects, Osvaldo Ordonez. Deputy Ertz, Deputy Allison, Deputy Brumfield, Deputy Bushnell, and I arrived on scene. A white 2004 Mitsubishi Eclipse ([REDACTED]/CA) drove by. Witnesses, Stephne Sales and Errol Sales, identified it as the suspect vehicle. Deputy Allison, Deputy Brumfield, Deputy Bushnell, and I conducted a high risk vehicle stop of the Mitsubishi. Mickail Myles and Elisic Sauls were detained. Force was used to detain Myles and my canine partner, Bubo, made contact with Myles. I arrested Myles for 148(a)(1) PC Obstructing a Peace Officer. A curbside line-up of Myles and Sauls was conducted. They were identified as not being involved in the incident. North County Fire Department (NCFD) arrived on scene and evaluated Myles' injuries. Myles did not need to be transported to the hospital by ambulance. Instead Deputy Brumfield and Deputy Bushnell transported Myles to Fallbrook Hospital. Myles was cited and released at Fallbrook Hospital. It was later determined there was no evidence of vehicle tampering to the Ford F-250. A photo/audio CD was placed into evidence. Taylor Dorsett and Michael Dorsett were witnesses.

Origin:

On 09/05/2014, at 2344 hours, I received a radio call to investigate a vehicle burglary in progress at 3362 Avocado Vista Lane, Fallbrook (Event # E1930789). The reporting party, Charles Sommer, observed a vehicle burglary involving 3-4 male suspects. Sommer's heard an argument between his neighbor and one of the suspects.

Investigation:

Based on the information I received, I feared there would be a violent confrontation between one of the suspects and a neighbor. I decided to utilize my lights and sirens to drive "Code-3" to the scene. While I was en-route, the dispatcher updated the call stating two suspects entered a white sedan and drove away from the area. At about 2353 hours, Deputy Ertz, Deputy Allison, and I arrived on scene. I observed a group of people at the corner of Avocado Vista Lane and Avocado Vista. I observed a Hispanic male, later identified as Osvaldo Ordonez, sitting on a nearby curb detained in handcuffs. I contacted Charles Sommer and received the following statement.

Statement of Charles Sommer (Witness):

On 09/05/2014, at about 2345 hours, Sommer observed four unknown race males standing by Michael Ference's 2008 Ford F-250 ([REDACTED]/CA). One of the suspects climbed underneath the truck and appeared to be tampering with the vehicle. The suspect was under the truck for approximately 30-seconds. All of a sudden, the males stood up and ran from the area. Sommer heard a neighbor arguing with one of the suspects down the road. Sommer observed two males enter a white sedan and drive away. Another male jumped a nearby fence into a backyard. Sommer later saw Ference had placed handcuffs on one of the suspects. Ference is a lieutenant for Fish and Game.

Investigation (Cont.):

While I was taking Sommer's statement, I observed a white 2004 Mitsubishi Eclipse ([REDACTED]/CA) driving southbound on Avocado Vista Lane towards Avocado Vista. The vehicle matched the description

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49


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Printed: March 11, 2015 - 7:31 AM

CSD-000009

Exhibit B

	San Diego County Sheriff's Department Arrest/Juvenile Contact Report		10 <small>Page 10 of 13</small>
	CAD Event No.: E1930789 Primary Victim: State of California	Case No. 14145536 Report No. 14145536.1	

of a vehicle driven by two of the suspects. The Mitsubishi drove slowly on the street towards my location. I observed two unknown race males sitting in the driver seat and front passenger seat. The Mitsubishi drove westbound on Avocado Vista. All of a sudden, multiple bystanders began to yell, "That's the car, that's the car." Deputy Allison ran to his vehicle. When Deputy Allison ran to his vehicle, the Mitsubishi quickly sped away westbound on Avocado Vista from Avocado Vista Lane.

Deputy Allison quickly caught up to the vehicle and conducted a traffic enforcement stop of the vehicle. The Mitsubishi yielded in the 5000 block of Dulin Road. Deputy Brumfield and Deputy Bushnell arrived on scene to assist Deputy Allison. I arrived on scene to assist Deputy Allison. Deputy Allison, Deputy Brumfield, Deputy Bushnell, and I conducted a high risk vehicle stop. The rear window of the Mitsubishi were darkly tinted and I could not see how many suspects were in the vehicle and if they were armed with weapons. I decided to remove my canine partner, Bubo, from my vehicle. The presence of the canine could bring about a peaceful apprehension of the occupants of the Mitsubishi.

Deputy Allison gave verbal commands for the driver to exit the vehicle. A black male, later identified by his California Driver's License as Mickail Myles, exited the vehicle. Myles exited the vehicle and faced us. Deputy Allison ordered Myles to face away from us and put his hands up in the air. Myles yelled, "I can't hear what you are saying." I ordered Myles to face away from us and put his hands in the air. Myles complied with my order. I gave Myles a canine announcement, "Follow my orders or you will be bit by the dog." I repeated my canine announcement. I ordered Myles to walk backwards towards my location. Myles turned around, faced us, put his hands down and began to walk towards us. I ordered Myles to stop, face away from us and placed his hands in the air. Myles complied with my order. I ordered Myles to walk backwards to the sound of my voice and he complied. I had Myles walk backwards to the back of Deputy Allison's trunk. I ordered Myles to stop and get on his knees. Myles did not comply with my command. Deputy Allison and I at the same time ordered Myles to get on his knees. Myles did not comply with both of our orders. While giving Myles commands, Bubo, was barking at Myles. I was able to project my voice over the sound of Bubo barking and gave clear and concise commands to Myles.

At this time, I was faced with a non-compliant suspect, who was suspected of burglarizing a vehicle. Burglary suspects use tools to burglarize cars. These tools can be used as unconventional weapons to injure or kill deputies. I could not immediately tell if Myles had any weapons concealed on his person and Myles had not been patted down for weapons. I feared Myles could access a weapon on his person and injure or kill myself or another deputy. The tint on the windows of the Mitsubishi was very dark. I could not see how many suspects were occupying the vehicle. I know there was at least one other suspect in the vehicle and was not sure if this suspect or another suspect was accessing a weapon from the vehicle. Myles had been non-compliant throughout the entire incident. Myles would not follow clear and concise commands given to him.

I decided quick and decisive action was needed to take Myles into custody to lower injury to myself, my partners and Myles. I used my right hand to grasp Myles by the back of his neck. My plan was to push Myles down to his knees, so Myles could be handcuffed. I grasped Myles' neck and began to push his

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

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CSD-000010

Exhibit B

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	CAD Event No.: E1930789 Primary Victim: State of California	Case No: 14145536 Report No: 14145536.1	

head down and forward. Myles ducked his head down and escaped my grasp. After Myles escaped my grasp, he walked backwards out of my view and was behind me. Deputy Allison, Deputy Bushnell and Deputy Brumfield were on the right side of Deputy Allison's patrol vehicle. I did not know how close my partners were to me. I feared Myles was going to assault me from behind, causing injury to me. Myles would have an advantage over me, if he attacked me from behind. I believed Myles was an imminent threat to me by approaching from me behind. To prevent Myles from attacking me from behind, I turned to my right and gave Bubo the apprehension command. Bubo bit Myles on the left side of his torso, released and then bit Myles' shirt. Deputy Allison grabbed Myles' left arm and Deputy Brumfield grabbed Myles' right arm. Deputy Allison and Deputy Brumfield pushed Myles against the trunk of Deputy Allison's patrol vehicle. This caused Myles to bend over at the waist and Myles' head and torso lay on top of the trunk. Myles was resisting and struggling to escape the grasp of Deputy Allison and Deputy Brumfield. During the struggle with Myles, Deputy Bushnell was covering the white Mitsubishi with his department issued sidearm, in case one of the suspects tried to escape and assault us.

There were one or more unsecure suspects inside of the vehicle. I could not tell if the suspects in the vehicle were armed with weapons. I knew a prolonged struggle with Myles could give a suspect in the vehicle an opportunity to escape or access a weapon to assault us. Also, if Myles was able to escape the grasp of Deputy Allison or Deputy Brumfield, Myles could have accessed a weapon on his person. In an attempt to gain Myles' compliance and prevent injury to myself or my partners, I used my right fist to strike Myles twice in the face, while I ordered him to stop resisting. Myles had already tried to approach me from behind, had ignored numerous verbal commands and potentially had access to weapons on his person or inside his car. I believed Myles was an imminent threat to me and my partners. Had I not delivered the two hand strikes to Myles' face, he could have escaped and caused harm to me or my partners. Once I delivered the two hand strikes to Myles' face, Myles immediately stopped resisting and Deputy Brumfield and Deputy Allison were able to handcuff Myles and placed him in the rear seat of Deputy Allison's patrol vehicle.

I ordered the passenger out of the vehicle. I had the passenger exit the vehicle out of the driver's door. A black male, later identified by his California Driver's License as Elisic Sauls, exited the vehicle. I ordered Sauls to face away from me, put his hands in the air and walk backwards to the sound of my voice. Sauls complied with my orders. I had Sauls walk backwards to the trunk of Deputy Allison's patrol vehicle. I ordered Sauls to get on his knees and he complied. Deputy Brumfield handcuffed Sauls and placed him in the rear seat of Deputy Brumfield's patrol vehicle. I conducted a phantom call out for anymore suspects to exit the vehicle. No other suspects exited the vehicle. I used Bubo to clear the interior of the Mitsubishi. There were no other suspects inside the vehicle. I arrested Myles for violation of California Penal Code Section 148(a)(1) PC Obstructing a Peace Officer.

I requested North County Fire Department to medically evaluate Myles' injuries. They arrived on scene and treated his wounds. Myles had minor puncture wounds and scrapes caused by Bubo's teeth. Myles did not need to be transported to the hospital by ambulance.

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49


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CSD-000011

Exhibit B

	Diego County Sheriff's Department Arrest/Juvenile Contact Report		12 <small>Page 12 of 13</small>
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I noticed a group of bystanders standing in the front of 5020 Dulin Road. I approached them and asked if they saw our use of force. I spoke to Michael Dorsett, Taylor Dorsett, and Elizabeth Garcia. They stated they witnessed the incident. Deputy Allison took recorded statements from Michael Dorsett and Taylor Dorsett (See Deputy Allison's Deputy Report.) Deputy Bushnell took a statement from Elizabeth Garcia (Deputy Bushnell's Deputy Report). Also, Deputy Bushnell contacted witnesses at 5012 Dulin Road. Deputy Bushnell took statements from Guillimena Barajas and Heidi Uriostegui. Deputy Bushnell took multiple digital photographs of the Mitsubishi and the scene. Deputy Bushnell took digital photographs of the view from 5020 Dulin Road.

Deputy Ertz was still at Avocado Vista Lane and Avocado Vista, with Osvuldo Ordonez detained. Deputy Ertz notified me there was a witness, identified as Steven Vanni, who could conduct a curbside line-up of Myles and Sauls. Deputy Allison picked up Vanni and brought him to the Dulin Road location to conduct a curbside line-up. Vanni stated Myles and Sauls did not match any suspects. Deputy Allison returned Vanni to Avocado Vista Lane and Avocado Vista. Deputy Ertz contacted the registered owner of the Ford F-250, Michael Ference. Ference stated there was no damage or tampering to his vehicle. I telephoned Deputy Ertz. Deputy Ertz told me Ordonez was playing pranks in the neighborhood by playing the "doorbell ditch game." Ordonez and his friends were not tampering with the truck; they were hiding behind the truck. On 09/06/2014, at about 0130 hours, Deputy Ertz released Ordonez from the scene since no crime had been committed.

Deputy Allison took witness statements from Stephne Sales and Errol Sales, who stated the Mitsubishi, was involved in this incident (Deputy Allison's Deputy Report). Deputy Allison recorded their statements. I un-handcuffed Sauls and notified him that he was not under arrest. I spoke to Sauls and received the following statement.

Statement of Elisic Sauls (Witness):

Sauls and Myles were returning from Murrieta. They parked in their driveway located at 3350 Avocado Vista Lane. They saw the patrol vehicles at Avocado Vista Lane and Avocado Vista. Sauls and Myles decided to drive by and see what was going on. Sauls stated they slowly drove by us to see if a neighbor had been arrested. Sauls stated it was hard for him to hear my verbal commands because of the canine barking. I asked Sauls if he heard me tell him to get on his knees and Sauls said, "Yes, I heard you because I was close to you."

Investigation (Cont.):

At about 0130 hours, I released Sauls from the scene. The parents of Myles and Sauls came by and drove the Mitsubishi home. Deputy Brumfield and Deputy Bushnell transported Myles to Fallbrook Hospital. At the hospital, I Mirandized Myles utilizing my department issued Deputy's notebook. Myles stated, "Yes," he understood his rights and, "Yea," he was willing to talk to me. I recorded Myles statement.

Statement of Mickail Myles (Arrestee):

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
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CSD-000012

Exhibit B

	Diego County Sheriff's Department Arrest/Juvenile Contact Report		13 <small>Page 13 of 13</small>
	CAD Event No.: E1930789 Primary Victim: State of California	Case No: 14145536 Report No: 14145536.1	

Myles and Sauls were returning from the roller rink "Epic" in Murrieta. Sauls and Myles saw the commotion down the street and drove by to see what was happening. I asked why Myles quickly drove away when we went to our vehicles and Myles replied, "I did not see you guys going towards your cars." I asked Myles if he could hear my commands and he stated, "Yes and no." I asked him what commands he heard and Myles stated, "Step back; Open your door and put your hands up." I asked Myles if he heard me tell him to get down on his knees and he replied, "I did but....." I asked if there was any reason why he did not comply with my command and he replied, "I was scared." Myles understood we were Deputy Sheriff's and we were giving him lawful orders. Myles did not know why he pulled away from me when I tried to grab him. Myles understood this incident would not have escalated, if he simply followed our verbal commands.

Investigation (Cont.):

I ended my interview of Myles. I cited Myles for 148(a)(1) PC Obstructing a Peace Officer. At about 0200 hours, Myles was released from my custody at Fallbrook Hospital. At the station, I transferred all digital photographs to a photo/audio CD and placed the CD into evidence.

Evidence:

Item 1: Photo/ Audio CD

Injuries:

Myles had minor puncture wounds and scrapes caused by Bubo's teeth.

Related Reports:

Citation #634733

Deputy Allison's Deputy Report

Deputy Brumfield's Deputy Report

Deputy Bushnell's Deputy Report

Background/Property Damage/Follow-Up: None

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

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CSD-000013

Exhibit B



San Diego County Sheriff's Department Property and Evidence Report

Case No. **14145536** **1**

Page 1 of 1

GENERAL CASE INFORMATION


REPORTING AGENCY: SH - Sheriff				CASE NUMBER: 14145536	
CALL FOR SERVICE NUMBER (CAD) E1930789	OFFENSE TYPE: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFFICER/EMER MED TECH (M)	DIVISION: Fallbrook Substation	BILLING CODE: SDSO - SD Sheriff's Office	SEARCH WARRANT NUMBER:	
DATE OF INCIDENT: 09/06/2014 00:01:00 (Saturday)	INCIDENT LOCATION, CITY, STATE, ZIP: 5000 Block Of Dulin Road, Fallbrook, CA 92028			KEY CASE NUMBER:	
REPORTING OFFICER: SH7123 - BANKS, JEREMY			ID: SH7123	DIVISION: Fallbrook Substation	
ASSIGNED DETECTIVE: SH7549 - MAYORDELEON, YANCEY			ID: SH7549	DIVISION: Fallbrook Substation	

INVOLVED PEOPLE

AFFILIATION: A1	NAME (Last, First, Middle): Myles, Mickail Dangelo	DOB: 9/18/1987	AGE: 26	SEX: M	RACE: B
HOME ADDRESS, CITY, STATE, ZIP: 3350 Avocado Vista, Fallbrook, CA 92028			HOME PHONE:		

EVIDENCE INFORMATION SECTION

ITEM NUMBER: 1.000		PROPERTY DESCRIPTION: Photo/ Audio CD		SEIZED ON DATE: 09/06/2014		PLACE BAR CODE LABEL HERE
VALUE:	COUNT: 1	MAKE / MANUFACTURER:	MODEL:			
CALIBER:	SERIAL NUMBER:	PROPERTY TYPE: 1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative				
PROPERTY STATUS: ES - Evidence (Seized)		SEARCH WARRANT:	FWTC:			
PROPERTY DISPOSITION: Evidence						
NOTES:						

	San Diego County Sheriff's Department Witness List	<div style="text-align: right; font-size: 2em; font-weight: bold;">1</div> <div style="text-align: right; font-size: 0.8em;">Page 1 of 5</div>
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Case Addition <input type="checkbox"/> Case Deletions <input type="checkbox"/> Case Changes </div> <div style="text-align: right;"> Case No. 14145536 </div> </div>		

GENERAL CASE INFORMATION									
Primary Charge: 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)									
Location, City, State, ZIP: 5000 Block Of Dulin Road, Fallbrook, CA 92028							Beat: 388	District:	
VICTIM/S WITNESSES									
Witness #1									
Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Sauls, Elisic Emanuel				Home Address, City, State, ZIP: 3350 Avocado Vista Ln, Fallbrook, CA 92028					
Race: B	Sex: M	Date of Birth / Age: 03/12/1994 - 20	Interpreter Language:	County Residence: R - Resident	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO	Days Off:	Work Hours:		
Employment Status: E - Employed		Occupation/Grade: Clerk	Employer/School: United Sullivan and Storage		Employer Address: 2611 Island Way, Vista, CA 92083				
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):									
Offender/Victim:					Relationship:				
CONTACTS:									
Type: MP - Mobile Phone					Number/Address: 760 689-8714				
IDENTIFICATION:									
Type: DLN - Drivers License Number			Number: F2598491		State: CA		Country: US		
Statement:									

Witness #2									
Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other									
Name: Dorsett, Michael				Home Address, City, State, ZIP: 5020 Dulin Road, Fallbrook, CA 92028					
Race: W	Sex: M	Date of Birth / Age: 11/30/1950 - 63	Interpreter Language:	County Residence: R - Resident	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO	Days Off:	Work Hours:		
Employment Status:		Occupation/Grade:	Employer/School:		Employer Address:				
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):									
Offender/Victim:					Relationship:				
CONTACTS:									
Type: MP - Mobile Phone					Number/Address: 818 331-6242				
IDENTIFICATION:									
Type: DLN - Drivers License Number			Number: [REDACTED]		State: CA		Country: US		
Statement: Witness to Use of Force									

Witness #3															
Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Reporting Officer SH7123 - BANKS, JEREMY</td> <td style="width: 33%;">Division / Organization Fallbrook Substation FALLBROOK PATROL</td> <td style="width: 33%;">Reviewed By SH2720 - BAGGS, AMBER</td> </tr> <tr> <td>Report Date 9/6/2014 2:31:05 AM</td> <td>Detective Assigned SH7549 - MAYORDELEON, YANCEY</td> <td>Reviewed Date 09/09/2014 12:10:49</td> </tr> </table>										Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER	Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49
Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER													
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49													

CSD-000016

Exhibit B

	San Diego County Sheriff's Department		Witness List
	<input type="checkbox"/> Case Addition <input type="checkbox"/> Case Deletions <input type="checkbox"/> Case Changes		
	Case No. 14145536		
	2		

Page 2 of 5

Name: Dorsett, Taylor				Home Address, City, State, ZIP: 5020 Dulin Road, Fallbrook, CA 92028			
Race: W	Sex: F	Date of Birth / Age: 08/29/1992 - 22	Interpreter Language:	County Residence: R - Resident	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO	Days Off:	Work Hours:
Employment Status:		Occupation/Grade:	Employer/School:		Employer Address:		
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):							
Offender/Victim:				Relationship:			
CONTACTS:							
Type: MP - Mobile Phone				Number/Address: 760 681-7278			
IDENTIFICATION:							
Type:		Number:		State:		Country:	
Statement: Witness to Use of Force							

Witness #4

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other
Name: Vanni, Steven Eugene
Home Address, City, State, ZIP: 1086 Inverloch Dr, Fallbrook, CA 92028
Race: W Sex: M Date of Birth / Age: 03/27/1965 - 49 Interpreter Language: County Residence: R - Resident V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO Days Off: Work Hours:
Employment Status: Occupation/Grade: Employer/School: Employer Address:
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):
Offender/Victim: Relationship:
CONTACTS:
Type: MP - Mobile Phone Number/Address: 760 458-1580
Type: HP - Home Phone Number/Address: 760 731-2793
IDENTIFICATION:
Type: DLN - Drivers License Number Number: [REDACTED] State: CA Country: US
Statement: Curbside Line-Up Witness

Witness #5

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other
Name: Sales, Errol
Home Address, City, State, ZIP: 5097 Avocado Vista Lane, Fallbrook, CA 92028
Race: F Sex: M Date of Birth / Age: 06/17/1976 - 38 Interpreter Language: County Residence: R - Resident V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO Days Off: Work Hours:
Employment Status: Occupation/Grade: Employer/School: Employer Address:
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):
Offender/Victim: Relationship:
CONTACTS:
Type: MP - Mobile Phone Number/Address: 858 752-7247

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

ARJIS Deputy Handbook Rev Ver7c 10-20-04
NetRMS_CASDCR Witness List rtf v11-21-05

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CSD-000017

Exhibit B

	San Diego County Sheriff's Department		Witness List
	<input type="checkbox"/> Case Addition <input type="checkbox"/> Case Deletions <input checked="" type="checkbox"/> Case Changes		<div style="font-size: 2em; font-weight: bold;">3</div> Page 3 of 5
Case No. 14145536			

IDENTIFICATION:			
Type:	Number:	State:	Country:
Statement: Identified Mitsubishi			

Witness #6

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input checked="" type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other
Name: Sales, Stephne		Home Address, City, State, ZIP: 5097 Avocado Vista Lane, Fallbrook, CA 92028		
Race: F	Sex: F	Date of Birth / Age: 04/23/1981 - 33	Interpreter Language:	County Residence: R - Resident
Employment Status:		Occupation/Grade:	Employer/School:	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO
		Employer Address:		Days Off: Work Hours:

RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):	
Offender/Victim:	Relationship:

CONTACTS:	
Type:	Number/Address:
Type: DLN - Drivers License Number	
Number: [REDACTED]	
State: CA	
Country: US	
Statement:	

Witness #7

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input checked="" type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other
Name: Sommer, Charles		Home Address, City, State, ZIP: 3362 Avocado Vista Lane, Fallbrook, CA 92028		
Race: W	Sex: M	Date of Birth / Age: 04/16/1965 - 49	Interpreter Language:	County Residence: R - Resident
Employment Status:		Occupation/Grade:	Employer/School:	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO
		Employer Address:		Days Off: Work Hours:

RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):	
Offender/Victim:	Relationship:

CONTACTS:	
Type:	Number/Address:
Type: MP - Mobile Phone	
Number/Address: 760 809-2940	
Type:	
Number:	State:
Country:	
Statement:	

Witness #8

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other
Name: Ference, Michael		Home Address, City, State, ZIP: 3382 Avocado Vista Lane, Fallbrook, CA 92028		
Race:	Sex:	Date of Birth / Age:	Interpreter Language:	County Residence: R - Resident
Employment Status:		Occupation/Grade:	Employer/School:	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO
		Employer Address:		Days Off: Work Hours:

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

CSD-000018

Exhibit B

	San Diego County Sheriff's Department Witness List	<div style="float: right; font-size: 2em; font-weight: bold;">4</div> <div style="clear: both;"></div>
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Case Addition <input type="checkbox"/> Case Deletions <input type="checkbox"/> Case Changes </div> <div>Case No. 14145536</div> <div>Page 4 of 5</div> </div>		

Employment Status: E - Employed	Occupation/Grade: Lieutenant	Employer/School: State of California - Fish and Game	Employer Address: 3883 Ruffin Road, San Diego, CA 92123
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):			
Offender/Victim:		Relationship:	
CONTACTS:			
Type: MP - Mobile Phone		Number/Address: 760 535-5735	
Type: WP - Work Phone		Number/Address: 760 723-5963	
IDENTIFICATION:			
Type:	Number:	State:	Country:
Statement:			

Witness #9

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer							
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other							
Name: Ordenez, Osvaldo				Home Address, City, State, ZIP: 738 Knoll Oak Lane, Fallbrook, CA 92028			
Race: H	Sex: M	Date of Birth / Age: 12/14/1995 - 18	Interpreter Language:	County Residence: R - Resident	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO	Days Off:	Work Hours:
Employment Status:		Occupation/Grade:	Employer/School:	Employer Address:			
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):							
Offender/Victim:				Relationship:			
CONTACTS:							
Type:				Number/Address:			
IDENTIFICATION:							
Type:		Number:		State:		Country:	
Statement:							


Witness #10

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer							
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other							
Name: Garcia, Elizabeth				Home Address, City, State, ZIP: 5020 Dulin Rd., Fallbrook, CA 92028			
Race: F	Sex: F	Date of Birth / Age:	Interpreter Language:	County Residence: R - Resident	V/W Assist: <input type="checkbox"/> YES <input type="checkbox"/> NO	Days Off:	Work Hours:
Employment Status:		Occupation/Grade:	Employer/School:	Employer Address:			
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):							
Offender/Victim:				Relationship:			
CONTACTS:							
Type:				Number/Address:			
IDENTIFICATION:							
Type:		Number:		State:		Country:	
Statement:							

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

CSD-000019

Exhibit B

	San Luis Obispo County Sheriff's Department Witness List	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">5</div> <div style="font-size: 0.8em;">Page 5 of 5</div>
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> A Case Addition <input type="checkbox"/> D Case Deletions <input type="checkbox"/> C Case Changes </div> <div> Case No. 14145536 </div> </div>		

Witness #11

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer							
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other							
Name: Barajas, Guillimena				Home Address, City, State, ZIP: 5012 Dulin Road, Fallbrook, CA 92028			
Race:	Sex:	Date of Birth / Age:	Interpreter Language:	County Residence:	V/W Assist	Days Off:	Work Hours:
	F				<input type="checkbox"/> YES <input type="checkbox"/> NO		
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address:	
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):							
Offender/Victim:				Relationship:			
CONTACTS:							
Type:				Number/Address:			
IDENTIFICATION:							
Type:		Number:		State:		Country:	
Statement:							

Witness #12

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer							
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other							
Name: Uriostegui, Heidi				Home Address, City, State, ZIP: 5012 Dulin Road, Fallbrook, CA 92028			
Race:	Sex:	Date of Birth / Age:	Interpreter Language:	County Residence:	V/W Assist	Days Off:	Work Hours:
	F			R - Resident	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address:	
RELATIONSHIP TO OFFENDER(S) AND/OR VICTIM(S):							
Offender/Victim:				Relationship:			
CONTACTS:							
Type:				Number/Address:			
IDENTIFICATION:							
Type:		Number:		State:		Country:	
Statement:							

Reporting Officer SH7123 - BANKS, JEREMY	Division / Organization Fallbrook Substation FALLBROOK PATROL	Reviewed By SH2720 - BAGGS, AMBER
Report Date 9/6/2014 2:31:05 AM	Detective Assigned SH7549 - MAYORDELEON, YANCEY	Reviewed Date 09/09/2014 12:10:49

ARJIS Deputy Handbook Rev Ver7c 10-20-04
NotRMS_CASDCR Witness List.rtf v11-21-06

Printed By SH2423

Printed: March 11, 2015 - 7:32 AM

CSD-000020

Exhibit B

San Diego Regional Notice To Appear Citation

Citation #: **634733**Case #: **14145536****1**Citation Type#: **NTA**

Page 1 of 1

Agency: Sheriff	Beat: 388 - FALLBROOK UNINCORPORATED	Date/Time: 09/06/2014 12:15:00 AM	Day of Week: Saturday	Total Citation Amount:
Location, City, State, ZIP: 5000 Dulin Rd Fallbrook, CA 92028		Arresting Officer (if Different):		
Owners Responsibility (VC40001)				
Notes:				

PERSON INFORMATION

Person #1

Name: MYLES, MICKAIL DAN GEOLO				
Home Address, City, State, ZIP: 3350 Avocado Vista Ln Fallbrook, CA 92028				
Race: Black	Sex: M	Date of Birth / Age: 9/18/1987	Height: 5' 8"	Weight: 185 lbs
Hair Color: Black		Eye Color: Brown		
Type: Drivers License Number	Number: D9391550	State: California	Country: UNITED STATES	
SCAR, MARKS, TATTOOS, ODDITIES:				

VEHICLE INFORMATION

Vehicle #1.000 -

Vehicle Stored or Impounded?		License State:		License Expiration:
License Plate:	VIN:		VIN Clear in SVS?	
Body Style:	Properly Type:		Color 2:	
Color 1:	Commercial Vehicle:		Hazardous Material:	
Owner Same as Driver?	Owner Name:		Owner Address:	
Address Same as Driver?	Evidence of Financial Responsibility:		Damage / Customization:	
Notes:				

VIOLATIONS

Violations

Violation:	148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OF CR/EMER MED TECH (M)		Correctable?	No
ADDITIONAL INFORMATION				
Booking Required:	Radars:	Veh Speed Limit:		Safe Speed
Approx Speed:	P.F. Max Speed:	Road Conditions:		
Weather Conditions:				

COURT INFORMATION

Court:	North County	Court Address:	325 S Melrose Dr Vista, CA 92081	
Department:	CRIMINAL	Court Phone:	760 806-6200	
Court Date:	10/16/2014	Court Time:	08:00:00 AM	Bail amount:
Appear in Night Court:	To Be Notified:			
Notes:				

PROPERTY

Issuing Officer: SH7123 - BANKS, JEREMY	Station / Division: Fallbrook Substation	Organization: FALLBROOK PATROL
---	--	--

NetRMS_CASDCitationsNTA_rtf v08-05-08

CSD-000021

Exhibit B

634733

Court Copy
San Diego County Sheriff's Department

NOTICE TO APPEAR ☐ Traffic ☒ Misdemeanor

Date of Violation: 09/09/14 0015 AM Day of Week: SAT S M T W T F S Copy Number: 144536
 Name (Last, First, Middle): MICHAEL DAVID MILES Owner's Responsibility (VC 40091)
 Address: 3350 AVERANO VISTA LN ZIP Code: 92028
 City: FALL ARBOR, CA State: 92028

Driver's License Number: 09391550 CA C Class: ☐ Yes ☒ No 05/19/1987 26
 Sex: M Race: B Height: 5'9" Weight: 185 Eyes: B Hair: B Skin: B
 Vehicle License Number / VIN:
 Year:
 Make:
 Model:
 Body Style:
 Color:
 Registered Owner or Lessee: ☐ Same as Driver ☐ Same as Driver
 Address:
 State:
 Zip Code:
 City:
 Evidence of Financial Responsibility: ☐ Same as Driver ☐ Same as Driver

Yes No Violation Code and Section Description Misdemeanor or Infraction (VC 40610) ☒ 148(a)(1) PC OBSTRUCTING A PEACE OFFICER ☐
 Correctable Violation ☐
 Speed Approx. ☐
 P.F. Max. ☐
 Veh. Lmt. ☐
 Safe Spd. ☐
 Factor ☐
 Location of Violation(s) 5000 AVE OF DULIN RD. FAIRBROOK City of Occurrence: FAIRBROOK City of Occurrence: FAIRBROOK
 Violator's Conditions:
 Peace Officer's Signature:
 Traffic Conditions:
 Station/Date/Time:
 Division:
 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: 09/09/14 J. Banks
 Amending or Issuing Deputy:
 I.D. Number:
 Name of Alleging Deputy, if different from Issuing Deputy:
 WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE PLACE AND TIME INDICATED BELOW

X Signature: Michael Miles

FOLLOW THE INSTRUCTIONS ON THE REVERSE

San Diego County Sheriff's Department
 Superior Court of San Diego County
 North Division - Criminal 3225 South Mckinstry, Vista, CA 92081 (760) 591-5800
 North Division - Traffic 3225 S. McKinstry, Suite 350, Vista, CA 92081 (760) 201-5500
 East Division - Branch 250 East Main Street, El Cajon, CA 92020 (619) 436-4100
 East Division - Branch 1403 Montecito Road, Ramona, CA 92065 (760) 736-2455
 Central Division - Criminal 220 West Broadway, San Diego, CA 92101 (619) 450-5700
 Central Division - Traffic 8850 Chillumont Plaza Blvd., San Diego, CA 92123 (619) 584-1800
 Juvenile Division 2301 Mendocino Drive, San Diego, CA 92101 (619) 584-1818
 South Division 500 Third Avenue, Chula Vista, CA 92010 (619) 746-6200

DATE: 09/09/14 TIME: 0800 AM PM
 SD-90 REV 08/05

CSD-000022

EXHIBIT “C”

CD Recording and Reporter’s
Transcript of Audio-Recorded
Radio Dispatch Event
E1930789

(copy of CD to be served on
Plaintiff via U.S. Mail)



EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MICKAIL MYLES, an individual,)
Plaintiff,)
vs.) Case No.:
COUNTY OF SAN DIEGO, by and) 15-cv-1585-BEN (BLM)
through the SAN DIEGO COUNTY)
SHERIFF'S DEPARTMENT, a public)
entity; and DEPUTY J. BANKS, an)
individual,)
Defendants.)
)

REPORTER'S TRANSCRIPT OF AUDIO-RECORDED
RADIO DISPATCH
EVENT E1930789

TRANSCRIBED BY: KIMBERLY A. BROADHURST, CSR NO. 13814
TRANSCRIBED ON: OCTOBER 19, 2016

1 (Begin transcription of audio-recorded
2 radio dispatch, file name: CSD-000108 -
3 E1930789 radio.wav.)
4

5 UNKNOWN MALE: What's the address on that auto
6 alarm?

7 DISPATCH: 932 Vista Village, 932 Vista
8 Village.

9 UNKNOWN MALE: I'm going to break some of that.
10 I've got to pass it out on my way to the other call.

11 DISPATCH: 10-4.

12 UNKNOWN MALE: 32 King 2, (inaudible) 594.

13 DISPATCH: 10-4.

14 All working units, info only, CHP is 10-4, a
15 possible 23, 152, 1425 South Mission, a red hatchback
16 just pulled into the parking lot, unknown plates. I'm
17 pulling (inaudible) up.

18 UNKNOWN MALE: Paul 1, 97.

19 DISPATCH: Paul, 97.

20 32 Paul 5, 459 vehicle?

21 DISPATCH: King 2, I copy on tack.

22 It's 3362 Avocado Vista Lane, 3362 Avocado
23 Vista Lane just an attempt of a vehicle break-in with
24 more to follow. 32 King 2.

25 UNKNOWN MALE: (Inaudible).

1 DISPATCH: 32-5 to cover. 32 King 2 and 32-5,
2 they're advising it's just south of the location. The
3 RP came out here at 415 possibly between a neighbor and
4 the suspect.

5 UNKNOWN MALE: 32-1, I'll (inaudible).

6 DISPATCH: 32 Paul 1, 10-4.

7 UNKNOWN MALE: 30 Paul 1.

8 DISPATCH: 30 Paul 1.

9 UNKNOWN MALE: Ten A SA and clear 11 and
10 (inaudible).

11 DISPATCH: 10-4, 11, copy.

12 UNKNOWN MALE: (Inaudible).

13 UNKNOWN FEMALE: (Inaudible).

14 UNKNOWN MALE: 32 King (inaudible) if they
15 think somebody is confronting the suspect and for
16 dispatch.

17 DISPATCH: I copy. And en route code 32 Paul
18 Sam copy.

19 UNKNOWN MALE: Copy code.

20 DISPATCH: 32 King 2, do you have further on
21 that? There were two subjects that were running and got
22 into a white sedan, unknown DOT out of the neighborhood.

23 UNKNOWN MALE: 10-4. Can you notify CHP and
24 border checkpoint?

25 DISPATCH: 10-4.

1 31 Paul 2, 415 family.

2 UNKNOWN FEMALE: (Inaudible).

3 DISPATCH: Five, 10-4, with unit to cover 415
4 family. 1124 Mulin (phonetic), 1124 Mulin. RP is
5 calling from LA County advising 15 ago they received a
6 1021 from her husband who is 97 location, and he is
7 going to throw everything out of the (inaudible) and her
8 daughter's room if they were not home by midnight.

9 The RP's concerned of daughter's school
10 equipment and other property at the location, is
11 requesting respond to make sure this has not occurred.
12 There's three Chihuahuas and a bulldog in the house, and
13 RP is also requesting a 1021 prior to responding, 31-5?

14 UNKNOWN FEMALE: (Inaudible).

15 DISPATCH: (Inaudible).

16 UNKNOWN MALE: Eleven.

17 DISPATCH: Eleven, 10-4.

18 32 King 2 and all the RP can still hear an
19 active 415. Too far for descriptions and unknown any
20 weapons.

21 UNKNOWN MALE: 10-4.

22 (Inaudible).

23 DISPATCH: 32-7, (inaudible).

24 DISPATCH: 7, 10-4.

25 UNKNOWN MALE: 32 Charles 4.

1 DISPATCH: 32 Charles 4.

2 UNKNOWN MALE: (Inaudible).

3 DISPATCH: 3362 Avocado Vista Lane.

4 UNKNOWN MALE: Clear my last AS and
5 (inaudible).

6 DISPATCH: Copy en route code.

7 Vista units. (Inaudible) medical leave 240
8 North Santa Fe at the Sprinter station, info only.

9 Fallbrook units. On the 459 vehicle, we're
10 also getting a 415 argument, 442 ammunition, possibly
11 related, repeated (inaudible) 415 between gang members.
12 One of the males was heard saying he had a gun
13 (inaudible) heard only.

14 UNKNOWN MALE: 32 Paul Sam. Send me that call.

15 DISPATCH: 10-4.

16 UNKNOWN MALE: We've got three units en route
17 to that other call. Break one of them.

18 DISPATCH: 10-4. Unit to break and cover Paul
19 Sam on the 415 argument.

20 UNKNOWN MALE: Charles 4, I'm closest.

21 DISPATCH: 32 Charles 4, 10-4.

22 UNKNOWN MALE: Follow with the info
23 (inaudible).

24 DISPATCH: It's 442 ammunition. It's possibly
25 going to be related to the 459 vehicle. The RP is

1 anonymous, advising there's a 415 argument possibly
2 between gang members. One of the males was heard saying
3 he had a gun only at this time.

4 UNKNOWN MALE: 30 Paul 1 to 97.

5 DISPATCH: 10-4.

6 UNKNOWN MALE: 32 Paul 1.

7 DISPATCH: 32 Paul 1.

8 UNKNOWN MALE: Do you have any further vehicle
9 description reference 459 vehicle?

10 DISPATCH: Negative.

11 UNKNOWN MALE: Charles 4.

12 DISPATCH: Charles 4.

13 UNKNOWN MALE: 97. I parked at 426. I'm going
14 to go ahead and walk in.

15 DISPATCH: Copy. 97 is parked at 426. 32 Paul
16 Sam, copy?

17 UNKNOWN MALE: 10-9.

18 DISPATCH: 32 Charles 4 is 97 on your call.
19 He's parked at 426 ammunition and will be walking in.

20 UNKNOWN MALE: 10-4 from 32.

21 DISPATCH: Copy from 32.

22 UNKNOWN MALE: Charles 4, (inaudible) units
23 from CVS (inaudible).

24 DISPATCH: Unit from CVS to cover Charles 4.
25 Any unit at CVS to break and cover Charles 4, 442

1 ammunition. 32-11, 10-4.

2 UNKNOWN MALE: 30 Paul 1.

3 DISPATCH: 30 Paul 1.

4 UNKNOWN MALE: 10A, TA (inaudible).

5 DISPATCH: 10-4, 7 copy.

6 UNKNOWN MALE: 7 copy.

7 DISPATCH: Fallbrook units. On the 459

8 vehicle, we're getting another call of suspicious person

9 5097 Avocado Vista. They're advising there's unknown

10 subjects who were 602ing and ringing the doorbell and

11 leaving. The neighbors have one detained. It's

12 possibly related to the 459 vehicle. Any unit on the

13 459 vehicle copy the last.

14 UNKNOWN MALE: 10-4.

15 DISPATCH: 10-4. 32 King 2, CHP wanted to know

16 if you want assistance.

17 UNKNOWN MALE: Negative just BOL for the

18 vehicle for now.

19 DISPATCH: 10-4.

20 UNKNOWN MALE: Charles 4, so far it's QA at

21 442.

22 DISPATCH: Copy. QA so far at 442.

23 UNKNOWN MALE: Checking the rest of the

24 complex.

25 DISPATCH: Copy checking the rear.

1 30 Paul 1, 415 party.

2 UNKNOWN MALE: 30 Paul 1.

3 DISPATCH: 30 Paul 1 units cover 415 party.

4 3010 Winters Hill, 3010 Winters Hill. Approximately 30
5 subjects outside are HPD, possibly underage with loud
6 music. RP is a signer. 30 Paul 1.

7 UNKNOWN MALE: (Inaudible).

8 DISPATCH: 32 Paul 3, your status. 32 Paul 3,
9 your status. 32 Paul 3, your status at the CVS.

10 UNKNOWN MALE: Paul 3 (inaudible) can you
11 assign (inaudible).

12 DISPATCH: 1414, 5530, 5530.

13 UNKNOWN MALE: (Inaudible).

14 UNKNOWN MALE: 32 Paul 11.

15 DISPATCH: 32, 11.

16 UNKNOWN MALE: I'll be 10-8 with Charles 4
17 (inaudible), and I'll be back on 32 Paul (inaudible).

18 DISPATCH: 10-4.

19 UNKNOWN MALE: 32 Paul 97.

20 DISPATCH: 10-4.

21 UNKNOWN MALE: 32 Paul Sam.

22 DISPATCH: 32 Paul Sam.

23 UNKNOWN MALE: Right now it's GAUL. I'm going
24 to check the area and then clear.

25 DISPATCH: 10-4.

1 UNKNOWN FEMALE: 31-5.
2 DISPATCH: 31-5.
3 UNKNOWN FEMALE: (Inaudible) 1021 on Vista.
4 UNKNOWN MALE: (Inaudible).
5 UNKNOWN MALE: 32 Paul Sam.
6 DISPATCH: 32 Paul Sam.
7 UNKNOWN MALE: (Inaudible) 31, 10 A, TA.
8 DISPATCH: 10-4.
9 UNKNOWN MALE: 32 Paul 1 (inaudible).
10 DISPATCH: ET only.
11 UNKNOWN MALE: Give me 1149 on the suspect
12 vehicle. California 5 Mary Frank Sam 363.
13 DISPATCH: 10-4 on your 20.
14 UNKNOWN MALE: Give me the fifth -- 5000 block
15 of Dulin.
16 DISPATCH: 5000 block of Dulin units cover.
17 UNKNOWN MALE: (Inaudible).
18 DISPATCH: 10-4.
19 DISPATCH: 32 Charles 4, I copy you're en
20 route. 32-7 is looking.
21 Continue ET.
22 32 Paul 1, the plate is 1129, current, February
23 2015, 2004 Mitsubishi two-door hatchback out of
24 Fallbrook, 3350 Avocado Vista Lane.
25 Continue ET.

1 32 Paul Sam, confirm your 10-4.
2 UNKNOWN MALE: Affirm.
3 DISPATCH: 10-4. Continue ET. Continue ET.
4 Continue ET.
5 UNKNOWN MALE: (Inaudible).
6 DISPATCH: You have background 10A. 32-7, you
7 have background 10A.
8 Fallbrook, 32 Paul 7, 10A your last.
9 32-1, cannot copy 32 Paul 7's traffic. Any
10 Fallbrook unit copy 32-7's last.
11 UNKNOWN MALE: 32 Paul Sam, I didn't copy. Who
12 do we have 97 with 1.
13 DISPATCH: 32 Paul 1's 97 with.
14 UNKNOWN MALE: (Inaudible) we have the driver
15 detained. Working on the passenger.
16 We have the driver detained. Working on the
17 passenger.
18 DISPATCH: Driver detained, working on the
19 passenger.
20 Continue ET.
21 Continue ET.
22 Continue ET.
23 UNKNOWN MALE: 32-7, (inaudible).
24 DISPATCH: 10-4.
25 UNKNOWN MALE: The vehicle is clear.

1 DISPATCH: The vehicle is clear.
2 Continue ET.
3 UNKNOWN MALE: 32 King 2, Code 4. Clear ET.
4 K9 contact. Start 1141.
5 DISPATCH: Copy Code 4, K9 contact and also
6 1141. Station is clear.
7 UNKNOWN MALE: 32 Zebra 1.
8 DISPATCH: 32 Zebra 1.
9 UNKNOWN MALE: Yeah. Can you log me on ARJIS
10 8032, and I'll be en route to VDF point 1?
11 DISPATCH: 10-4.
12 UNKNOWN MALE: 32 Paul Sam on your clear.
13 DISPATCH: 32 Paul Sam. Go ahead.
14 UNKNOWN MALE: Go ahead and just put me out on
15 1's call.
16 DISPATCH: 10-4.
17 32 King 2, FD is 10-4 en route.
18 31 Paul 9 commercial audible.
19 UNKNOWN MALE: 31-9.
20 DISPATCH: (Inaudible) unit to cover commercial
21 audible 450 West Vista Way, North County Ford. 450 West
22 Vista Way at North County Ford. Peruse the second floor
23 display perimeter door. I have the wrong call back
24 31-9.
25 UNKNOWN MALE: En route.

1 DISPATCH: (Inaudible).
2 UNKNOWN MALE: 31-7, 149.
3 DISPATCH: 31-7, go ahead.
4 UNKNOWN MALE: 300 block North Santa Fe, 7
5 Charles North Sam 509.
6 DISPATCH: 300 block North Santa Fe.
7 31 Paul 7, your plate's 1129, current, February
8 2015, 1998 Pontiac four-door out of Vista on Woodland
9 Drive.
10 UNKNOWN MALE: 10-4.
11 DISPATCH: 10-4.
12 UNKNOWN MALE: (Inaudible) Paul 1 for plate
13 (inaudible).
14 DISPATCH: (Inaudible) go ahead.
15 UNKNOWN MALE: 6 Edward x-ray Adam 072.
16 DISPATCH: 10-4.
17 UNKNOWN MALE: I just need the RO's address.
18 DISPATCH: 10-4. It'll be 3030 Winters Hill,
19 3030 Winters Hill.
20 UNKNOWN MALE: 10-4. Thanks. Confirm the RP
21 was calling from 3011 Winters Hill?
22 DISPATCH: Affirm.
23 UNKNOWN MALE: 32 Paul 11, can you send me the
24 459 name, please.
25 DISPATCH: Confirm.

1 UNKNOWN MALE: 32-5, clear and tags plate.

2 DISPATCH: Go ahead.

3 UNKNOWN MALE: 8 unit 13495, and I don't need
4 the information.

5 DISPATCH: 10-4. 32-5, can you just advise if
6 the suspicious person on Avocado Vista that's pending
7 will be related.

8 UNKNOWN MALE: I believe they're going to be
9 related. There's four altogether, and they split up in
10 different directions.

11 DISPATCH: 10-4. I'll relate them.

12 UNKNOWN MALE: 32 Charles 4.

13 DISPATCH: 32 Charles 4.

14 UNKNOWN MALE: Out with Paul 1 (inaudible).

15 DISPATCH: Go ahead.

16 UNKNOWN MALE: What was the original RP's
17 location?

18 DISPATCH: 3362 Avocado Vista Lane, 3362
19 Avocado Vista Lane.

20 UNKNOWN MALE: 10-4. I'll be going to that
21 location.

22 DISPATCH: 10-4.

23 UNKNOWN MALE: 31-7, 97 the alarm (inaudible).

24 DISPATCH: 10-4.

25 UNKNOWN MALE: 32 Paul 11, 97.

1 DISPATCH: 11, 10-4.
2 UNKNOWN MALE: Charles 4.
3 DISPATCH: Charles 4.
4 UNKNOWN MALE: (Inaudible) already contacted
5 the RP. I'll be back out at the hot stop location.
6 DISPATCH: 10-4.
7 DISPATCH: 32 Paul 3, your status.
8 UNKNOWN MALE: Paul 3 I'm 10A RF and on with 32
9 Paul 11.
10 DISPATCH: 10-4.
11 UNKNOWN MALE: 31-9, 97.
12 DISPATCH: 10-4.
13 UNKNOWN MALE: 31-7 (inaudible) K9 police.
14 DISPATCH: (Inaudible) 13 to start 450 West
15 SOA.
16 UNKNOWN MALE: (Inaudible) 13, 10-4.
17 DISPATCH: 10-4 (inaudible).
18 DISPATCH: Continue ET.
19 UNKNOWN MALE: Eleven, 97 North County Ford
20 with an (inaudible).
21 DISPATCH: Eleven, I copy your 97. 7, can you
22 advise?
23 UNKNOWN MALE: You could just stand by on the
24 ground level near the Ford (inaudible).
25 DISPATCH: 11 copy.

1 UNKNOWN MALE: 10-4.

2 DISPATCH: Continue ET.

3 UNKNOWN MALE: 32 Paul 11, CN please.

4 DISPATCH: Continue ET for Vista.

5 UNKNOWN MALE: 11, I'm at (inaudible) in vista

6 village.

7 DISPATCH: 11 (inaudible) Vista Village.

8 Continue ET. Continue ET for Vista.

9 UNKNOWN MALE: Hey (inaudible) what do you got

10 so far?

11 UNKNOWN MALE: We have an unlocked door

12 upstairs which is I think where the alarm was coming

13 from and we heard some noises inside.

14 UNKNOWN MALE: 10-4, are you on the north side

15 of the building?

16 UNKNOWN MALE: Yes, sir. We're at the --

17 you'll see the parking garage on the west side of the

18 building. We're on the second floor.

19 UNKNOWN MALE: Okay. 10-4. I'm at the dead

20 end of (inaudible) we're (inaudible).

21 DISPATCH: (Inaudible).

22 UNKNOWN MALE: Paul 7.

23 DISPATCH: Did you want (inaudible) started?

24 UNKNOWN MALE: If (inaudible) busy unless their

25 (inaudible) ETA.

1 DISPATCH: 10 King 13, your ETA.
2 UNKNOWN MALE: Five out.
3 DISPATCH: Copy five out.
4 UNKNOWN MALE: Seven, 10-4. You can clear the
5 (inaudible). We don't hear any more noises.
6 DISPATCH: The station is clear.
7 DISPATCH: 31 Paul 51, clear check (inaudible)
8 10-21.
9 UNKNOWN FEMALE: (Inaudible).
10 DISPATCH: 10-4.
11 UNKNOWN MALE: 31-7, you can cancel (inaudible)
12 myself and Paul 91B. Clearing this room that we have
13 that's unlocked and we'll (inaudible) for now. There's
14 no forced entry.
15 DISPATCH: (Inaudible).
16 UNKNOWN MALE: (Inaudible).
17 DISPATCH: 10-4.
18 UNKNOWN MALE: 31 send the Code 4 clear ET.
19 DISPATCH: I copy Code 4 (inaudible) clear for
20 normal traffic.
21 10 King 13, copy.
22 UNKNOWN MALE: (Inaudible).
23 DISPATCH: 10-4. And 31-5 copy.
24 UNKNOWN FEMALE: (Inaudible).
25 DISPATCH: 10-4 and I'll send you the 21.

1 UNKNOWN FEMALE: (Inaudible).
2 UNKNOWN MALE: 32 Paul 1.
3 DISPATCH: 32 Paul 1.
4 UNKNOWN MALE: We're conducting a curbside
5 lineup at 32 Paul 7's location starting mileage 62588.
6 DISPATCH: Midnight 30 hours.
7 UNKNOWN MALE: 32 Paul 97 (inaudible) 62588.2.
8 DISPATCH: Midnight 31 hours.
9 UNKNOWN MALE: It's going to be a negative on
10 suspect ID.
11 DISPATCH: Copy negative on suspect ID.
12 UNKNOWN MALE: It's a negative on the second
13 suspect.
14 DISPATCH: Negative on the second suspect.
15 UNKNOWN MALE: And it's a negative on the car
16 as well.
17 DISPATCH: Negative on the vehicle as well.
18 UNKNOWN MALE: 31 (inaudible) coming back on
19 alarm call at Ford.
20 DISPATCH: Affirm. 30 Paul 1, repeat your
21 status.
22 UNKNOWN MALE: 10-4.
23 DISPATCH: (Inaudible).
24 UNKNOWN MALE: 32 King 2, can you send me
25 (inaudible).

1 DISPATCH: 32 King 2, it's going to be 1414,
2 5536, 5536.

3 UNKNOWN MALE: 32-5.

4 DISPATCH: 32-5.

5 UNKNOWN MALE: (Inaudible) 32F1.

6 DISPATCH: 32F1 (inaudible).

7 31 Paul 1 for a suspicious circumstance.

8 UNKNOWN MALE: 31 Paul 1.

9 DISPATCH: (Inaudible) suspicious circumstance
10 1022 Clearbrook Lane, 1022 Clearbrook. RP heard a noise
11 two ago coming from your roommate's room advising the
12 roommate is not 1097. She hasn't heard anything since.
13 She's home alone with her two-year-old daughter and
14 standing by the front door. 31 Paul.

15 UNKNOWN MALE: 10-4.

16 DISPATCH: (Inaudible).

17 UNKNOWN MALE: 7.

18 DISPATCH: 7's out for (inaudible).

19 31 Paul 9, for a 415 party.

20 UNKNOWN MALE: Paul 9, go.

21 DISPATCH: (Inaudible) unit to cover 415 party.
22 RP's anonymous advising at 311 West Los Angeles, Unit A,
23 Adam, 311 West Los Angeles, A, Adam, that there's party,
24 ten or more subjects, possible HPD, no fine NFD.

25 UNKNOWN MALE: 9, 10-4 (inaudible).

1 DISPATCH: (Inaudible).

2 UNKNOWN MALE: 31-7, 97. Can I have the RP
3 come outside?

4 DISPATCH: Confirm.

5 DISPATCH: RP is en route outside. She's
6 wearing a green shirt and black shorts.

7 UNKNOWN MALE: 10-4. Does she have an
8 apartment number?

9 DISPATCH: (Inaudible).

10 UNKNOWN MALE: 7, 1022.

11 DISPATCH: 10-4.

12 UNKNOWN MALE: 32 Paul 7.

13 DISPATCH: 32 Paul 7.

14 UNKNOWN MALE: En route to Fallbrook with
15 110-16.

16 DISPATCH: 10-4 en route Fallbrook with 110-16
17 (inaudible).

18 UNKNOWN MALE: 32 Charles 4.

19 DISPATCH: 32 Charles 4.

20 UNKNOWN MALE: 10-98 the last view S and A.

21 DISPATCH: 10-4 (inaudible).

22 UNKNOWN MALE: 32 Paul 7, for clarification
23 Fallbrook Hospital.

24 DISPATCH: 10-4. En route Fallbrook Hospital.

25 UNKNOWN MALE: 32 King 2.

1 DISPATCH: King 2.

2 UNKNOWN MALE: (Inaudible) transport a 110-16

3 to Fallbrook Hospital.

4 DISPATCH: 10-4 (inaudible).

5 UNKNOWN MALE: 32 Paul 11, can you attach a

6 plate, please?

7 DISPATCH: Go ahead.

8 UNKNOWN MALE: 5 Henry George Unit 598.

9 DISPATCH: 32-11, the plate's 1129, current

10 April 2015, 2004 Honda four-door, El Cajon.

11 UNKNOWN MALE: 10-4, can you give me the RRO,

12 please.

13 DISPATCH: Last of Austin, first of Ryan.

14 UNKNOWN MALE: 10-4, thanks.

15 DISPATCH: (Inaudible).

16 UNKNOWN MALE: 31 Tom 411, 49.

17 DISPATCH: Go ahead.

18 UNKNOWN MALE: Unplated Chevrolet, (inaudible)

19 Vista Way and Hillside.

20 DISPATCH: East Vista Way and Hillside on an

21 unplated Chevy, over.

22 UNKNOWN MALE: Tom 2, en route.

23 DISPATCH: 10-4.

24 UNKNOWN MALE: 32-1.

25 DISPATCH: 32, go on.

1 UNKNOWN MALE: 10-19 (inaudible).
2 DISPATCH: 10-4.
3 DISPATCH: Fallbrook units, (inaudible) CHP
4 10-4 abandon vehicle in the area of 38898 Duluth Road
5 (inaudible). 31 Paul 7, update your status.
6 UNKNOWN MALE: 7 (inaudible).
7 UNKNOWN MALE: 32 Paul 11.
8 DISPATCH: 32, 7.
9 UNKNOWN MALE: 32 Paul 11, if you could change
10 this to a 40 BE, please.
11 DISPATCH: 10-4.
12 UNKNOWN MALE: 32 King 2 and 7, 97.
13 DISPATCH: 10-4.
14 UNKNOWN MALE: 32-5, 97.
15 DISPATCH: 97. 31 Tom 4 and 31 Tom 2, update
16 your status.
17 UNKNOWN MALE: Code 4, we're on a DUI eval.
18 DISPATCH: Code 4 on a DUI eval.
19 DISPATCH: 31-11, 415 (inaudible).
20 UNKNOWN MALE: 11.
21 DISPATCH: 11 unit to cover 415 noise 1813
22 Mancinita Court (phonetic). 1813 Mancinita Court. Loud
23 subjects unknown number of subjects. RP is a signer.
24 31-11.
25 UNKNOWN MALE: (Inaudible).

1 UNKNOWN MALE: 32-5 (inaudible).
2 DISPATCH: 32 Paul 5. 32 Paul 5.
3 UNKNOWN MALE: CM police.
4 DISPATCH: There's already one assigned to the
5 event. Did you want a second?
6 UNKNOWN MALE: (Inaudible).
7 DISPATCH: 10-4. 1414, 5539, 5539.
8 UNKNOWN MALE: 10-4, thanks.
9 DISPATCH: (Inaudible).
10 DISPATCH: 31 Paul in suspicious person.
11 UNKNOWN MALE: 31 Paul 1.
12 DISPATCH: 31 Paul 1 unit to cover suspicious
13 person Monte Vista and Cyprus, Monte Vista and Cyprus.
14 RP advising there's a white Ford Explorer driving around
15 the neighborhood possibly casing. Last seen pulling
16 over on Monte Vista just east of Cyprus. White Ford
17 Explorer with a plate 4 John Paul Baker 596. 31 Paul 1.
18 UNKNOWN MALE: 10-4 advise.
19 UNKNOWN FEMALE: (Inaudible).
20 DISPATCH: 5, 97.
21 UNKNOWN FEMALE: Paul 5, 51 on four.
22 DISPATCH: 51 on four. 31-11, copy.
23 UNKNOWN MALE: (Inaudible).
24 UNKNOWN FEMALE: (Inaudible).
25 DISPATCH: 10-4. 31-11, copy.

1 UNKNOWN MALE: (Inaudible).

2 DISPATCH: 31 Paul 9, 637.

3 UNKNOWN MALE: 31-9.

4 DISPATCH: 9, with unit to cover 647 S 311 West
5 Los Angeles, Unit A, Adam, 311 West Los Angeles, Unit A,
6 Adam. Group of males from a 14 party outside of the
7 residence seen urinating per HBD. No signer for the
8 party. 209.

9 UNKNOWN MALE: En route.

10 DISPATCH: Change cover.

11 UNKNOWN MALE: 31-7.

12 DISPATCH: 7, 10-4.

13 UNKNOWN MALE: 32 Paul 11.

14 DISPATCH: 32 Paul 11.

15 UNKNOWN MALE: (Inaudible) one back at 32 and
16 it was an LP (inaudible).

17 DISPATCH: 10-4.

18 DISPATCH: 31-11, suspicious circumstance.

19 UNKNOWN MALE: 11.

20 DISPATCH: 11, with unit to cover suspicious
21 circumstance, Lupine Hills and Sheffield Drive. Lupine
22 Hills and Sheffield Drive. RP is calling from
23 Cobblestone Lane advising (inaudible) vehicle going down
24 Lupine Hills heard subjects talking in a vehicle going
25 up the hill. This all heard only. Concern there was

1 some sort of accident. RP did not hear an accident, did
2 not (inaudible) requesting (inaudible) the area. 31-11.

3 UNKNOWN MALE: (Inaudible).

4 UNKNOWN FEMALE: 31-5.

5 DISPATCH: 31 Paul 5.

6 UNKNOWN FEMALE: 97, Paul 1 checking.

7 DISPATCH: 10-4.

8 UNKNOWN MALE: 31-7, 97.

9 DISPATCH: 10-4.

10 UNKNOWN MALE: 31-7, 10 AWC.

11 DISPATCH: 10-4. 9 copy.

12 UNKNOWN MALE: (Inaudible).

13 UNKNOWN FEMALE: (Inaudible).

14 DISPATCH: 31-5 (inaudible). 32 Paul 1, copy.

15 UNKNOWN MALE: Affirm. (Inaudible).

16 DISPATCH: 31-7, 14 party.

17 UNKNOWN MALE: (Inaudible).

18 DISPATCH: Send out with unit to cover 415

19 party, 2112 East Vista Way, 2112 East Vista Way. Near

20 the pool area. Approximately ten subjects are being

21 loud. RP is a signer. 31-7.

22 UNKNOWN MALE: 10-4.

23 UNKNOWN MALE: 32 King 2.

24 DISPATCH: King 2.

25 UNKNOWN MALE: 10 King Sam is 97, Fallbrook

1 Hospital.

2 DISPATCH: Copy. 10 King 10 is 97, Fallbrook

3 Hospital.

4 UNKNOWN MALE: 10 King Sam.

5 DISPATCH: 10-4. 32 King 2, did you have an

6 ARJIS?

7 UNKNOWN MALE: 2284.

8 DISPATCH: 10-4.

9 32 Paul 3 commercial (inaudible).

10 UNKNOWN MALE: Paul 3.

11 DISPATCH: (Inaudible) unit to cover a

12 commercial auto (inaudible), 1215 South Mission at the

13 Got Gold, 1215 South Mission. Push in front door

14 interior answering machine on call back. The key holder

15 first have done it in route with 20 (inaudible) black

16 Mercedes. 32-3.

17 UNKNOWN MALE: Copy.

18 DISPATCH: Unit to cover? (Inaudible) 10-4

19 (inaudible).

20 UNKNOWN MALE: Tom 2, 1185.

21 DISPATCH: Tom 2, 10-4.

22 UNKNOWN MALE: 32 King 2, can you (inaudible)

23 number, please.

24 DISPATCH: 1414, 5536, 5536.

25 UNKNOWN MALE: King 2. Do you have a 1016

1 time? If not, just the one that the stop was made.

2 DISPATCH: Unit on 1016, time the stop was put
3 out at 23:59 hours.

4 UNKNOWN MALE: 10-4. Thanks.

5 King 2, if you want to you could just make 1016
6 time midnight 15.

7 DISPATCH: 1016 at midnight 15.

8 UNKNOWN MALE: Tom 4.

9 DISPATCH: Tom 4.

10 UNKNOWN MALE: I have a 1016, please. Can I
11 get a CN and I believe my partner already got an 1185.

12 DISPATCH: Confirm. I'm on landline with them
13 now. Stand by for your scan.

14 Tom 4 your stand 1414, 5542, 5542.

15 UNKNOWN MALE: Just so I don't have to bug you
16 after, what's my 1016 time I just gave you. I don't
17 know what time it is.

18 DISPATCH: 0145 hours.

19 UNKNOWN MALE: 10-4 (inaudible).

20 UNKNOWN FEMALE: 5, 977 call.

21 DISPATCH: 5, 10-4.

22 DISPATCH: 31 Tom 4, Rantadel Road (phonetic),
23 (inaudible). 10-4, EJ20.

24 UNKNOWN MALE: (Inaudible).

25 UNKNOWN FEMALE: 5 (inaudible).

1 DISPATCH: 31-5 (inaudible) 31-7 copy.
2 UNKNOWN MALE: 31-7 (inaudible).
3 UNKNOWN MALE: 32 King 2, what's my beat?
4 DISPATCH: 388.
5 UNKNOWN MALE: (Inaudible).
6 DISPATCH: Fallbrook units, info only. CHP is
7 10-4 on a black Saturn left southbound on Old Stage Road
8 from 821 Old Stage Road, unit 15, and that male was seen
9 HBD prior to leaving. Info only (inaudible).
10 UNKNOWN MALE: 32 Paul 11, we have an open
11 door. We're making entry.
12 DISPATCH: ET only.
13 DISPATCH: Continue ET.
14 UNKNOWN MALE: 32 Paul 11, you can clear ET,
15 and if you can call for an air crew responder.
16 DISPATCH: Station is clear and the responder
17 was en route. I've been handling the calls an ETA of 20
18 (inaudible) and will be in a black Mercedes.
19 UNKNOWN MALE: (Inaudible).
20 UNKNOWN MALE: 32 Paul 3 (inaudible) should be
21 a valid 459.
22 DISPATCH: 32 Paul 3, I copy valid 459.
23 UNKNOWN MALE: King Sam.
24 DISPATCH: King Sam.
25 UNKNOWN MALE: Can you have on call DIS

1 sergeant give me a 1021.

2 DISPATCH: Confirm. Can you switch to tack and
3 give me your 21?

4 UNKNOWN MALE: (Inaudible).

5 (End transcription of audio recording,
6 file name: CSD-000108 - E1930789
7 radio.wav.)

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1 I, KIMBERLY A. BROADHURST, a Certified
2 Shorthand Reporter for the State of California, do
3 hereby certify:

4 That the foregoing document is a verbatim
5 transcription prepared from the electronic sound
6 recording provided to me of the proceedings in the
7 above-entitled matter; that the foregoing is a true and
8 accurate transcription of said recording, to the best of
9 my ability.

10

11 Dated this 19th day of October, 2016.

12

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16 _____
KIMBERLY A. BROADHURST, CSR 13814

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EXHIBIT “D”

CURTIS J. COPE / CONSULTANT
8531 PALERMO DRIVE
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EXPERT WITNESS DECLARATION

**MICKAIL MYLES V. COUNTY OF SAN DIEGO, ET AL.
USDC CASE # 15-CV-1585 BEN**

**IT IS MY UNDERSTANDING DISCOVERY IS STILL IN PROGRESS
IN THIS CASE. AS SUCH, I RESERVE THE RIGHT TO ADD,
ALTER, AMEND, DELETE, OR REVISE ANY OPINIONS AS NEW
INFORMATION IS PROVIDED.**

1) My full and complete name is CURTIS JEFFREY COPE. I am currently a resident of Orange County in Southern California where I maintain my consulting firm and business office.

2) I am a retired police officer (effective 10-30-97), attaining the rank of Lieutenant for the City of Huntington Beach, California. In addition to my former law enforcement duties, I am also active in the fields of training as an instructor, developer, lecturer, author and consultant. I started in my career as a police officer in 1968 and worked in that field until retirement. I held the rank of Police Officer for approximately nine years, another thirteen years as a Sergeant, and finished my career at the rank of Lieutenant for approximately 7 ½ years. Some of the assignments that I have worked were Patrol Officer, Motor Officer, Field Training Officer, SWAT Officer, Special Enforcement Unit Officer, Helicopter Observer, Background Investigator, Patrol Sergeant, FTO Supervisor, SWAT Supervisor, Motor Sergeant, Accident Investigation Sergeant, Special Enforcement /Gang Detail Sergeant, Watch Commander, SWAT Commander, COP Area Commander and General Investigation Bureau Commander. Throughout my career I was the lead arrest and control instructor for the department. For approximately half of my active law enforcement career I was vested with planning and writing the operations orders for all of the major special events that occurred in the City. I also worked with other City Departments in developing the Conditional Use Permits for events or businesses operating within the City. These events included 4th of July Parades & Fireworks Celebrations, Surfing Contests, Annual Church, Vietnamese Tet Festivals and others. Typically, the 4th of July activities required assigning and coordinating the Department's police activities, staffing issues plus coordinating allied agencies that assisted in the events. I have been involved in many riot/crowd control events as an officer, sergeant and lieutenant. I have participated or supervised in the writing and service of in excess of 100 search warrants. I have conducted in excess of thirty internal affairs investigations. I received in excess of 125 official

commendations or awards through my career. I have worked special assignments as a motor officer and motor sergeant in detecting driving while under the influence task force. During those assignments I have made in excess of 1,000 driving under the influence arrests and have acted as a follow-up officer for an additional 1500 driving under the influence arrests. I have testified as an expert in criminal and civil cases regarding DUI detection and apprehension. During these assignments I also participated in and conducted four alcohol detection training workshops. During these workshops, persons would be provided measured quantities of alcohol over measured time frames. Throughout the consumption time, the drinkers would be given field sobriety examinations by police officers and chemical tests to determine their level of sobriety. The workshops provided training for law enforcement, district attorney's officials and judges. During my assignments as a traffic motor officer, traffic motor sergeant and accident investigation sergeant I have investigated thousands of traffic accidents. While assigned to the Special Enforcement Detail, I developed an expertise in gang activity, which included gangs identified as Blood or Crip, Hispanic, Neo-Nazi or White Skin-head types. I was qualified as a gang expert in both Municipal and Superior Courts and provided training to a variety of entities regarding the gang related criminal activity.

3) I obtained my first teaching certificate from the California Commission on Peace Officer Standards and Training (P.O.S.T.) in 1970. I began teaching the Department's personnel arrest and control techniques upon completion of the instructor's course. I started on staff as an Instructor at the Criminal Justice Training Center at Golden West College in Huntington Beach in 1975. I have taught subjects in arrest and control, defense tactics, baton, use of force, patrol procedures, traffic stops, traffic accident investigation, report writing, S.W.A.T. Operations, Gang Awareness and other law enforcement related topics. I am a certified Master Instructor by the State of California Commission on Peace Officers Standards and Training (POST). I was granted a Lifetime California Department of Education Teaching Credential, Community College level, in 1976, which certifies me to teach and train law enforcement personnel at Colleges and POST Commission approved training facilities. I am a consultant for POST in the Robert Presley Institute of Criminal Investigation, Instructor Update Course, where I provide training for law enforcement personnel in how to develop training and teaching techniques. I also have acted as a consultant for POST in course and curricula development, mentoring, recommended training changes, assisted in tele-course productions and training procedures. In November of 1997, I was requested by POST to accept a position as Program Administrator in the Institute of Criminal Investigation Instructor Development Workshop Series. My position was to administer instruction, management of existing programs, and developing new training material or new training programs for all instructors teaching within the Institute. **I was awarded the Excellence in Instruction Award for the years of 2000 –2001 by the Institute. In 2006 I was awarded the Institute's Founders Award for Leadership in Instructional Excellence. I was awarded the Mentoring Excellence Award,**

California POST Instructor Symposium, 2009. I was awarded the Award of Excellence for Redesigning the Institute of Criminal Investigation Instructor Development Course, 2010 & 2011. I was awarded a Certificate of Excellence for outstanding work and dedication to the Instructor Development Institute – Mentor Program in 2013. I was certified as a T.A.S.E.R. instructor by Taser International in 2008. I presently continue teaching in the ICII program, other POST courses and also provide training for law enforcement making presentations for local, state, federal and international personnel on a variety of topics. I also continue training in the field on a regular basis to keep abreast with issues facing law enforcement. I have trained over 15,000 police personnel.

4) I have attached and incorporate by reference my Professional Resume to establish my background, training, and experience within the law enforcement field as well as my formal education, teaching credentials, assignments and tactical police command experience.

5) I have published a text book on the subject of weaponless control entitled, **Weaponless Control for Police and Security Guard Personnel**, publisher C. Charles Thomas, Springfield, IL, 1979. I submitted my Master Instructor's thesis, **Arrest and Control Techniques Student Syllabus for Instructors**, to POST in 1993, who authorized its publication. It has been used for student development at basic police academies, reserve academies, Basic State Investigators Academy, Instructor Development Course and others, plus it is used as resource material at POST headquarters. I have also published twenty-five articles. The first is entitled **Documenting the Use of Force**, published in the Journal of California Law Enforcement, Volume 30, Number 1, March 1996. The second is entitled **Five-Step Method To Regional Crime Analysis**, published in The Police Chief Magazine, May 1998. The third is entitled **California Investigator Training**. It was published by the American Society of Law Enforcement Trainers in their magazine The Law Enforcement Trainer, January / February 1999. The fourth is entitled **A Trainer's Perspective**. It was published by The Follow-up, a training newsletter for California Law Enforcement Investigators, Robert Presley Institute of Criminal Investigation, Commission on Peace Officers Standards & Training, Volume 4, Number 2, October, 1999. The fifth is **Report Writing Review A Supervisor's Mandate**, The Law Enforcement Trainer, The Journal of the American Society of Law Enforcement Trainers, Volume 17, Number 8 May/June, 2002. The sixth article is **Building Training from Lessons Learned – A Checklist to Successful Training**, The Journal of California Law Enforcement, California Peace Officer's Association, Volume 37, Number 1, 2003. The seventh article is **Course Development: How Long Should It Take**, The Law Enforcement Trainer, The Journal of the American Society for Law Enforcement Trainers, Volume 18, Number 6 November/December 2003. The eighth article is **Using Forensic Equipment to Enhance Use of Force Investigations**, Journal of California Law Enforcement, Volume 39, Number 3, 2005. The ninth article is **Enhancing Use of Force Training**, Illinois Law

Enforcement Training & Standards Board Executive Institute FORUM, Volume 7, Number 3, March / 2007 and Law Officer Magazine, Volume 3, Issue 6, June 2007. The tenth article is **A Guide To Life After Law Enforcement**, LawOfficer.com, May 30, 2008. The eleventh article is **What Is The Standard On Use Of Force**, LawOfficer.com, July 29, 2008. Article number twelve is, **Understanding the Objectively Reasonable Standard**, LawOfficer.com, September 30, 2008. Article number thirteen is **Applying the Objectively Reasonable Standard**, LawOfficer.com, October 30, 2008. Article number fourteen is **Understanding the Objectively Reasonable Standard: Self Defense**, LawOfficer.com, December 29, 2008. The fifteenth article is **Understanding the Objectively Reasonable Standard: Defense of Others**, LawOfficer.com, January 2, 2009. The sixteenth article is **Understanding the Objectively Reasonable Standard; Effectuating An Arrest**, LawOfficer.com, January 26, 2009. The seventeenth article is **Understanding the Objectively Reasonable Standard: Prevent an Escape**, LawOfficer.com, March 30, 2009. The eighteenth article is **Understanding the Objectively Reasonable Standard: Overcome Resistance – Part One**, LawOfficer.com, June 17, 2009. The nineteenth article is **Understanding the Objectively Reasonable Standard: Overcome Resistance – Part Two**, LawOfficer.com, September 2, 2009. The twentieth article is **Understanding the Objectively Reasonable Standard: Overcome Resistance – Part Three**, LawOfficer.com, September 23, 2009. The twenty-first article is **Understanding the Objectively Reasonable Standard – Taser: Objectively Reasonable Force**, LawOfficer.com, November 4, 2009. The twenty-second article is Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard – Elements of Supervision – Part One**, LawOfficer.com, May 24, 2010. The twenty-third article is Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard – Elements of Supervision – Part Two**, LawOfficer.com, August 27, 2010. The twenty-fourth article is Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard – Elements of Supervision – Part Three**, LawOfficer.com, December 21, 2010. The twenty-fifth article is Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard – Elements of Supervision – Part Four**, LawOfficer.com, July 8, 2011. The twenty-sixth article is Cope, Curtis and Michael Gray, **Meeting Your Training Needs Simply and Effectively**, California Peace Officers' Association, Training Magazine, July, 2015

6) Since the early 1980's, I have been called upon to consult and render expert opinions on law enforcement matters in Federal and State Courts within the State of California and other States. I have been so qualified in numerous cases including criminal matters, civil litigation, law enforcement labor or personnel litigation and civil disputes. My opinions have not always favored the law enforcement position as I have opined and testified on cases on behalf of plaintiff. I have testified on behalf of law enforcement management, where I have recommended discipline, termination or criminal charges against police

personnel. I have also made recommendations to settle cases where law enforcement personnel have made tactical or policy errors.

7) In compliance with Federal Rule 26 (Civil Procedure), I have attached a listing of my testimonial work from 2012 to present.

8) I generally charge fees for my time and services. I usually have an initial One Thousand (\$1000.00) dollar charge to open a case or file fee. Clients are usually billed at Three hundred (\$300.00) dollars per hour for case review and case preparation. Clients are billed at Four Hundred (\$400.00) per hour with a one (1) hour minimum for testimonial work at Depositions and Two Thousand Five Hundred (\$2500.00) per day at Trial or Hearings plus usual and customary travel and per diem.

9) I was retained as a consultant in the matter of, Mickail Myles v County of San Diego et al. in January of 2016 and have since been provided with or reviewed the following relevant research materials and documents:

- a. Plaintiff's Complaint for Damages
- b. Court's Order Regulating Discovery & Other Pre-Trial Proceedings
- c. San Diego County Sheriff's Department (SDSD) Canine Unit Policy & Procedures Manual
- d. Documents Bates Stamped CSD-000001 – 000069; CSD 000093 – 000103; CSD 000112 – 000130; CSD 000150 – 000184; CSD 001624 – 001635
- e. Audio Recordings Bates Stamped CSD 000106 – 000110; CSD 000111; CSD 001636 – 001639; Claim Investigation Interviews of Deputies Allison, Banks, Bushnell & Brumfield
- f. Depositions of Jeremy Banks (Banks); Shane Allison (Allison); Andrew Brumfield (Brumfield); Mickail Myles (Myles); Ronald Bushnell (Bushnell); Yancey Mayordeleon (Mayordeleon); Elisic Sauls (E. Sauls); Carlton Sauls (C. Sauls); Michael Dorsett (Dorsett); Robert Christopher Cross (Cross); Jacob Pavlenko (Pavlenko)
- g. California Commission on Peace Officer Standards and Training (POST) Basic Academy Workbook Series, Learning Domains 6, Property Crimes; 7, Crimes Against Persons; 15, Laws of Arrest; 16, Search & Seizure; 20,

Use of Force; 21, Patrol Techniques; 22, Vehicle Pull-Overs; 23, Crimes in Progress; 33, Arrest Methods – Defensive Tactics

- h. POST Field Training Officer Training (FTO); Advanced Officer Training (ATO); Continuing Professional Training (CPT) Perishable Skills Training (CPT)
- i. United States Department of Justice Office of Justice Programs Bureau of Justice Statistics Contacts Between Police and The Public, 1998 & 2008 (BJS)
- j. Selected Sections of the California Penal Code

10) Based upon my careful review of the above 10 listed items and research materials contained therein, I am now prepared to offer competent expert testimony concerning the police practices and procedures apparent in the case, to wit:

- a. This case stems from events that took place during the late hours of 9/05/2014 and the early morning hours of 9/06/2014 in the community of Fallbrook, CA. San Diego County Sheriff's Department (SDSD) communications center received 911 calls from citizens who report four male subjects being seen tampering with a vehicle, a Ford 250 truck, which was parked by 3362 Avocado Vista Lane in Fallbrook. The callers described one of the males crawling under the truck while the others remained close to the vehicle. One caller thought the individuals might be burglarizing the vehicle. Additional callers reported neighbors attempting to capture the subjects, two of whom ran on foot and the other two entered a possible white sedan. One subject was reported to be detained by neighbors while the other continued fleeing on foot. Information was provided to the responding deputies that neighbors could be heard arguing or fighting with the detained individual and the other was running into a backyard in the neighborhood. Uniformed SDSD deputies were dispatched to the call for service. Each deputy was on duty, each was wearing the official uniform of SDSD and they were operating marked SDSD patrol vehicles. The record reflects Banks responded to the scene code three. Upon arrival, the record reflects deputies began conducting an

investigation into the circumstances of the possible vehicle burglary. Law enforcement is trained that they should consider this type of call for service as a potential felony due to the possible automobile burglary¹ and a possible crime of violence due to the possible confrontation between the detained suspect and neighbors². The record reflects as deputies were conducting their investigation they observed a white Mitsubishi, which contained two male subjects driving in the immediate area of the call for service. The record reflects deputies heard neighbors pointing towards and yelling, "That's the car. That's the car". **It is my opinion any reasonable deputy would consider the totality of the circumstances known to them at that moment and conclude that there was reasonable suspicion to stop the Mitsubishi and its occupants in order to determine if they were involved in the possible automobile burglary. Law enforcement is trained reasonable suspicion's definition is when a peace officer has enough facts and circumstances present to make it reasonable to suspect that criminal activity is occurring and the person detained is connected to that activity. Reasonable suspicion may be based on observations, personal training and experience, or information from eye witnesses, victims or other officers. Law enforcement is also trained that they may use reasonable force and/or physical restraints to compel a person to remain at the detention site.**³

- b. The record reflects the Mitsubishi was being driven by Myles and his passenger was Sauls. The record reflects the side and rear windows of the Mitsubishi were tinted to an extent that deputies could not see into the vehicle. The record reflects Allison was the first deputy to drive after Myles and Sauls. Myles testified he and Sauls were returning home when they observed the emergency lights from the SDDS vehicles. Myles testified he drove into the area of the sheriff's investigation at a crawl speed,

¹ See POST Basic Academy Workbook Series, Learning Domain 6, Crimes Against Property, Chapter One

² Ibid, Learning Domain 7, Crimes Against Persons, Chapter One

³ Ibid, Learning Domain 15, Chapter 3

approximately 3 mph⁴. Myles testified he drove from the activity scene at approximately 5 mph⁵ because he saw the street was blocked by sheriff's vehicles⁶. Myles testified after driving a short distance he saw police behind him but he did not know for sure that they wanted him to pull over. Eventually, he turned onto Dulin Road, where he pulled over⁷ because he knew it was a cop behind him⁸. Myles testified he rolled down his window and heard yelling for him to get out of the car. He testified he heard "get out of the car with your hands up"⁹ and that is what he did. He testified he asked Sauls to call his dad. He testified due to the yelling and dog barking it was unclear as to what deputies wanted him to do¹⁰. Myles also testified he did not believe deputies had any reason to identify his race until he got out of the vehicle¹¹. Sauls testified he was with Myles when they drove up to see the police cars. He testified as they were making a right turn to start driving away from the police activity a lady came out of her house screaming and pointing at them¹². Sauls estimated that they drove away at approximately 10 mph. Sauls testified as they drove away he saw a police officer start running towards his squad car¹³ and he thought the officer was going to his car so he could contact them. Sauls testified Myles pulled over. Sauls testified he heard something over the loud speaker. He stated their windows were up and they had music playing so they turned down the music and rolled the window down so they could hear. Sauls testified he heard the following commands. "Turn off your engine, take your keys out of the ignition and put your hands out of the window. He noted two squad cars were behind them. He stated the second set of

⁴ See Myles deposition, page 78

⁵ Ibid, page 79

⁶ Ibid, page 75

⁷ Ibid, page 81

⁸ Ibid, page 84

⁹ Ibid, page 85

¹⁰ Ibid, page 87

¹¹ Ibid, page 86

¹² See Saul's deposition, pages 47 & 48

¹³ Ibid, page 52

commands were not over the loud speaker¹⁴. Sauls testified Myles told him to call his dad and that commands were then given for Myles to get out of the car. Sauls testified he heard commands, put your hands on top of your head, turn around and walk backwards¹⁵. Sauls testified he heard multiple commands from multiple people, the canine barking so it was very hard to figure out what was going on¹⁶. Sauls testified the dog went hysterical when Myles started moving backwards. He said when Myles backed up he lost contact with him¹⁷. Myles testified when he was told to get out of the car he heard multiple commands including, "get on the ground", "put your hands up"¹⁸. Myles testified, "Because it wasn't uniformed commands he didn't know what they wanted me to do". He testified that he looked over his shoulder to let them know he could not hear. He stated deputies told him to turn back around and walk backwards and he did that¹⁹. Myles testified he only looked over his shoulder one time. Myles testified once he got to the patrol car, "They pretty much took my hands, handcuffed me and read me my rights"²⁰. He continued, handcuffing only took a matter of seconds. He testified he asked what he had done twice while he looked over his shoulder, which is when he got hit and bit²¹. Myles testified he never heard any officer say there was a dog or something about the possibility of getting bit. Myles testified he thought he was hit in the head with a baton and then bitten by the dog on his left side. Myles testified he saw Sauls taken out of the car while he was standing outside of the patrol car. He said later an ambulance came and asked if he needed medical attention to which he said no²². Myles testified he was placed into the back seat of a patrol vehicle for a period of time. He indicated Sauls was eventually released and that his parents were allowed

¹⁴ Ibid, pages 54 & 55

¹⁵ Ibid, pages 56 & 57

¹⁶ Ibid, page 59

¹⁷ Ibid, page 61

¹⁸ See Myles deposition, page 96

¹⁹ Ibid

²⁰ Ibid, page 101

²¹ Ibid, page 105

²² Ibid, pages 116 & 117

to approach the patrol vehicle and speak with him²³. Myles continued indicating his dad shared that he was going to go to the hospital. He continued once he was at the hospital he was given treatment and he was interviewed by a police supervisor. He testified he was eventually released. Sauls testified he never looked back to see what Myles was doing²⁴. Sauls testified he was asked to get out of the vehicle. He testified he got out on the driver's side. He testified he followed the deputy's commands, put your hands up, turn around and put your hands on top of your head and backup. Sauls testified he never looked back at deputies. Sauls continued that when he got back to the police car his hands were taken down and he was placed in handcuffs. He continued that he was searched and placed into the back of a car, where they asked him questions²⁵. Sauls testified he never saw any evidence of any racism during the event²⁶. Sauls testified he experienced the deputies conducting a drive-by with a victim while he was seated on the curb. He testified that once that was completed deputies explained everything to him and he was released²⁷. Sauls testified after a minute or two he used a cell phone to video 3 seconds of the event. He indicated it contained some images of Myles walking backwards and audio of a deputy giving commands²⁸. Sauls testified he never heard Myles say he could he could not hear after Myles got out of the car²⁹. **It is my opinion any reasonable deputy would have concluded that there was reasonable suspicion to stop Myles and Sauls in order to conduct an investigation related to the possible vehicle burglary. It is also my opinion, based upon the testimony of Myles and Sauls, the enforcement stop made on them had nothing to do with their race. It is also my opinion any reasonable person would have complied with the deputy's**

²³ Ibid, pages 120 & 121

²⁴ See Sauls deposition, page 67

²⁵ Ibid, pages 67 - 69

²⁶ Ibid, page 78

²⁷ Ibid, pages 82 - 84

²⁸ Ibid, pages 90 - 93

²⁹ Ibid, page 101

commands throughout the contact with them. U.S. DOJ studies demonstrate though 84 million police contacts with the public that 98% or better of the people contacted comply with law enforcement's orders. These studies also reflect that law enforcement does not resort to any type of force application in 98 % or more of the contacts³⁰. It is apparent that Sauls followed the commands of the deputy's and he was taken into custody without incident. It is my opinion, had Myles complied with the commands of deputy's he would have also been taken into custody without incident.

- c. The record reflects Banks has been a deputy since joining SDSD in 2007. The record reflects he successfully completed the POST required Basic Academy and passed probation. After assignments in the courts he was transferred to Patrol in April of 2009. While assigned to patrol Banks successfully completed the Department's field training requirement prior to being released to patrol on his own. The record reflects Banks was assigned as a canine handler in March of 2012 and continued that assignment through January of 2015. The record reflects Banks went through the canine handler academy during the early part of 2012. The record also reflects Banks and his canine partner participated in 16 hours of training required by the Department per month. The record also reflects Banks and his canine participated in annual POST certification testing in order to work as a canine team. The record reflects Allison joined SDSD in August of 2011 when he entered into the POST Basic Academy. Allison was initially assigned to the court services bureau. He was assigned to Patrol in August of 2013. Allison successfully completed the Department's field training requirements prior to being released to patrol on his own. The record reflects Brumfield joined SDSD in July of 2007 when he entered into the POST Basic Academy. Brumfield was initially assigned to court services bureau until November of 2008. He was then assigned to Patrol and worked in that assignment until being assigned to detectives in March

³⁰ See item 9 I

of 2015. Bushnell joined SDSD in October 2012 and completed the POST Basic Academy in April of 2013. He was then assigned to court services bureau. He was assigned to patrol in August of 2014. The record reflects Bushnell was participating in the Field Training Program with Brumfield at the time of this event. **It is my opinion the SDSD personnel involved in this event meet or exceed the POST and Department training requirements.**

- d. Allison testified he conducted an investigative stop which turned into a high risk stop³¹ on Myles and Sauls by activating his patrol vehicles emergency lights. Allison testified he could not see into or identify who was in the vehicle even though he had his high beams on, his light bar with the emergency and take-down lights activated and spotlights directed at the vehicle³². Allison testified he did not approach the vehicle because of the inability to see inside. He waited until Brumfield and Bushnell arrived so they could take up cover officer positions on the passenger side of his patrol vehicle. Allison testified he attempted to use his public address system to call Myles and Sauls back to them however it malfunctioned. Allison indicated he gave Myles some initial commands. Allison testified when Myles got out of the vehicle he was facing towards the deputies. Allison testified he ordered Myles to face away from them, to which Myles complied. However, without being ordered to do so, Myles turned and faced deputies³³. At some point Banks arrived with his canine partner. Allison also testified at one point he heard Banks order Myles to kneel; however Myles did not comply with that order³⁴. Allison also testified once Myles failed to comply with Banks order he also ordered Myles to get on his knees³⁵. Allison testified that they are taught that once a canine unit arrives at the scene that they take over giving commands³⁶.

³¹ See Allison deposition, page 100

³² Ibid, page 103

³³ Ibid, page 132

³⁴ Ibid, page 133

³⁵ Ibid, page 139

³⁶ Ibid, page 86

Banks testified he took over giving commands³⁷. Bushnell was the driver officer and had Brumfield as his partner/FTO in their patrol vehicle. He testified when he arrived he parked behind Allison's patrol unit. Bushnell testified he could see the vehicle that had been stopped however he could not see the occupants³⁸. He testified he went to the passenger side of his patrol vehicle where he joined Brumfield³⁹. He testified he heard Allison give some commands as he and Brumfield walked up to the passenger side of Allison's patrol vehicle. Bushnell testified Brumfield opened the passenger door of Allison's patrol vehicle and told him to stand there⁴⁰. Bushnell testified he and Brumfield drew their pistols. Bushnell testified he heard Banks giving commands to the driver, Myles. He testified he heard commands of "Keep your hands out where I can see them", "Walk back towards me" and "Stop turning around"⁴¹. He testified he heard no one else giving any commands once Banks started issuing them⁴². Bushnell also testified he also heard Banks telling Myles to follow his instructions or he might be bit. He also said Banks was yelling quite loudly⁴³. Bushnell testified he saw Myles turn around to his left at least twice as he was moving back towards Allison's patrol vehicle⁴⁴. Bushnell testified it seemed to him that every time Myles responded he turned to talk. He also testified he heard Myles asking, "Why" several times. Bushnell testified he did not hear Myles say that he could not hear the commands⁴⁵. Bushnell testified he heard Banks command Myles to, "Get down on your knees"⁴⁶. Bushnell testified he heard Sauls asking if he could get out of the vehicle and he told him to stay where he was at⁴⁷. Bushnell testified he heard

³⁷ See Banks deposition page 195

³⁸ See Bushnell deposition, page 42

³⁹ Ibid, page 50

⁴⁰ Ibid, page 57

⁴¹ Ibid, page 66

⁴² Ibid, page 65

⁴³ Ibid, page 67

⁴⁴ Ibid, pages 70 & 71

⁴⁵ Ibid, page 71

⁴⁶ Ibid, page 111

⁴⁷ Ibid, page 78

Banks giving commands to Sauls to get out of the car⁴⁸. Bushnell testified after Sauls was taken into custody Banks conducted a phantom call-out on the car⁴⁹. Once that was completed he and Brumfield advanced and cleared Myles' vehicle. Bushnell then conducted interviews of neighbors to ascertain if any had witnesses the car stop. **It is my opinion Allison and Bushnell's actions in this event comport with POST and the Department training guidelines for a contact or cover officer during the high risk stop and detention and their actions were reasonable for the circumstances.**

- e. Brumfield testified he was Bushnell's training officer at the time of this event. He testified he heard Allison giving commands but did not recall exactly what they were. He testified at some point during the event he heard Myles say he could not hear what was being said to him⁵⁰. He testified at some point he also concluded Myles was not complying with Allison's commands and that he saw Myles doing not what deputies expect somebody to do during a stop like the one they were on⁵¹. Brumfield testified he recalled Myles walking backwards and then turning around and walking forward towards the deputies⁵². Brumfield testified after Myles got back to where Allison was he holstered his firearm and went to assist him⁵³. Brumfield testified Myles had been placed near the rear bumper, and he could see Allison struggling to get Myles' left hand to control it. It was during the struggle that Banks landed his two striking blows to Myles. He continued stating Myles' right hand was on the trunk propping himself up⁵⁴ as he struggled with Allison. He testified shortly after Banks landed blows that they got control of Myles⁵⁵ when Brumfield took control of Myles' right arm and used his body weight to control him against

⁴⁸ Ibid, page 80

⁴⁹ Ibid, page 82

⁵⁰ See Brumfield deposition, page 57

⁵¹ Ibid, page 58

⁵² Ibid, page 77

⁵³ Ibid, page 88

⁵⁴ Ibid, pages 90 - 92

⁵⁵ Ibid, page 92

the car and handcuffs were applied. **It is my opinion Brumfield's actions in this event comport with POST and Department training for a cover officer/FTO. It is also my opinion any reasonable deputy seeing a subject not complying with commands during a high risk traffic stop would consider the noncompliance as threatening. It is also my opinion the actions taken by Brumfield to assist in controlling Myles were appropriate for the circumstances. It is further my opinion the use of force utilized by Brumfield and Allison was reasonable for the circumstances and comports with Department policy.**

- f. Banks testified upon arriving at the enforcement stop location he got out of his patrol vehicle and removed his canine partner. He testified he heard Allison ordering Myles out of the vehicle and for him to place his hands in the air. He testified Myles did not initially comply but did after being ordered a second time⁵⁶. Banks testified he then took over giving commands to Myles⁵⁷. Banks testified when Myles was facing away from them he gave a canine announcement⁵⁸. Banks testified Myles did not verbally respond to that announcement. Banks testified Myles walked backwards towards them. He testified Myles was ordered to stop but Myles failed to comply⁵⁹. Banks testified he ordered Myles to get onto his knees two or three times but Myles did not comply and continued walking backwards towards them⁶⁰. Banks testified he placed his hand onto Myles in the area of the back of his neck⁶¹ and tried to push him onto his knees. He testified Myles ducked his head out of his grasp and began walking behind him. Banks testified at that point he gave his canine a command to apprehend Myles⁶². Banks testified his canine bit Myles once on his left

⁵⁶ See Banks deposition, page 211

⁵⁷ Ibid, page 215

⁵⁸ Ibid, page 216

⁵⁹ Ibid, page 232

⁶⁰ Ibid, page 233

⁶¹ Ibid, page 236

⁶² Ibid, page 237

torso and two more time biting Myles clothing⁶³. Banks testified Myles continued resisting Allison's and Brumfield's attempts to handcuff him. Banks testified he also struck Myles twice⁶⁴ on the left side of his face with his closed fist⁶⁵ in his attempt to control Myles resistance. Banks also testified that while Myles was walking back towards deputies, he turned around to face them and also lowered his hands once or twice⁶⁶. The record reflects Myles was grabbed by Allison and Brumfield, placed against the back of a patrol vehicle where he was then handcuffed. Myles was placed into the back seat of a patrol vehicle. The record reflects after Sauls was removed from the vehicle and detained, deputies conducted a canvass of the area to locate witnesses to the event that had taken place. The record reflects paramedics were summoned to the scene to provide Myles with treatment and he was later transported to a hospital for additional medical treatment. The record reflects supervision was notified and responded to the event. POST training reflects peace officers may use personal weapons to strike available targets during an arrest/detention to control a combative and/or resistive subject⁶⁷. It further teaches applications of force must be objectively reasonable for the circumstances. **It is my opinion Banks actions in this event comport with POST and Department training and were reasonable for the circumstances. Law enforcement is trained placing a suspect in an unbalanced position provides officers with better abilities to control that person⁶⁸. It is my opinion any reasonable deputy would have considered Myles noncompliant actions as threatening and dangerous. It is my opinion the applications of force used by Banks, including fist strikes and application of the canine, to control and take Myles into custody were reasonable for the circumstances. It is**

⁶³ Ibid, pages 241 & 242

⁶⁴ Ibid, page 243

⁶⁵ Ibid, page 258

⁶⁶ Ibid, page 285

⁶⁷ See POST Basic Academy Workbook Series, Learning Domain 33, Arrest Methods, Chapter 1

⁶⁸ Ibid

also my opinion the application of force used by Brumfield was reasonable for the circumstances.

- g. The record reflects some witnesses living in the area were clearly able to hear deputy's yelling "get down", "open the door slowly and put your hands up", "walk backwards" and "get on your knees". Some of the witnesses were able to hear commands while they were inside of their homes while two others were standing in their yard watching the car stop⁶⁹. **These witness statements demonstrate to me that the deputy's voices were loud and easily understood in spite of the canine barking.**
- h. POST training reflects in 1989, the United States Supreme Court applied an objective standard to a force situation and further established how reasonable force must be judged objectively (*Graham v Connor*, 490 U. S. 386, 109 S.Ct. 1865) (1989). The Court noted that determining the objective reasonableness for the use of force must be fact specific, and established the following four components for determining reasonableness: 1) It must be judged from the perspective of a reasonable officer. 2) It must be examined through the eyes of an officer on the scene at the time the force was applied, not the 20/20 vision of hindsight. 3) It must be based on the facts and circumstances confronting the officer without regard to the officer's underlying intent or motivation. 4) It must be based on the knowledge that the officer acted properly under established law at the time. The training also reflects officers should rely on the totality of the circumstances known to them at the time of the force application. The court noted the following facts should also be considered, but not limited to, when gauging reasonableness: 1) The severity of the crime 2) The nature and extent of the threat posed by the subject 3) The degree to which the subject resists arrest or detention 4) Any attempts by the subject to evade arrest by flight. The training also provides officers, "Any officer who has reasonable cause to believe that the person to be arrested has

⁶⁹ See Audio recordings bates stamped CSD 000109 & 000110 and SDSD reports

committed a public offense may use reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance”⁷⁰.

- i. I have found nothing in the record that would reflect SDSD failed to test, screen, examine or evaluate deputies during their hiring process. I have found nothing in the record that reflects any of the department’s personnel were dangerous, racist, bigoted, abusive or violent predators. I have found nothing in the record that would indicate SDSD has failed to train, monitor, control, report, discipline or supervise its personnel. I have found nothing in the record that indicates SDSD personnel cover-up, conspire, encourage or ratify any policy, procedure or practice to violate any Citizen’s Civil Rights. I have found nothing in the record that reflects the Department or its personnel are racist. I have found nothing in the record that reflects SDSD has a “Code of Silence”. I have found the policies and training regimen of SDSD comport with modern policing practices and POST Standards.

Expert Witness Affirmation

I, Curtis J. Cope, do state and affirm under penalty of perjury that the above expressed expert opinions are well considered and clearly based on recognized standards and that I will so testify under oath in a Court of Law, if so called.

⁷⁰ Ibid, Learning Domain 20, Use of Force, Chapter 1



SIGNED _____

AT Orange County, CA on May 31, 2016

CV

**PRESENT
POSITION**

Consultant / Expert Witness / Instructor
Use of Force, Police Practices and Procedures, Supervision
and Training 1985 to Present

EXPERIENCE

1968 Santa Ana Police Department
Santa Ana, California
Police Officer - Patrol and Traffic

04-01-69 - 10-30-97- Huntington Beach Police Department,
Huntington Beach California

Patrol Officer; Traffic Motor Officer; S.W.A.T. Team Member
and Team Leader; Field Training Officer; Department Arrest
& Control Instructor

Patrol Supervisor (appointed 2/77); Motor Supervisor; A.I.
Supervisor, FTO Supervisor, S.W.A.T. Team Leader;
Adjutant to the Uniform Division Commander; Special
Enforcement/Gang Unit Supervisor; Department Arrest &
Control Instructor

Patrol Watch Commander (appointed Lieutenant 6/30/90);
Area Commander (appointed 1-16-92); General Investigation
Bureau Commander (appointed 12-24-94); Department
Arrest & Control Instructor [Medical Retirement 10-30-97]

**PROFESSIONAL
CERTIFICATES**

California Commission on Peace Officer Standards
and Training (POST)

Basic	1970
Intermediate	1975
Advanced	1977
Supervisory	1983
Management	1992
Master Instructor	1994

California Board of Education
Community College Limited Services Credential
Police Science Subject Matter - Valid for Life (1976)

EDUCATION

Associate in Arts Degree (AA)
Golden West College, Police Science 1975
Huntington Beach, California

Baccalaureate Degree (BA)
University Of Redlands, Public Administration 1977
Redlands, California

Graduate
Orange County Peace Officers Academy 1968
Orange Coast College, Costa Mesa, California

Graduate
P.O.S.T. Master Instructor Development Program
State of California - 1993

**MILITARY
EXPERIENCE**

Army of the United States of America 1965 - 1967
Honorable Discharge Rank/Assignment E-5 Sergeant/Squad
Leader, Infantry, Republic of South Vietnam

**PROFESSIONAL
ACTIVITIES**

Instructor - Criminal Justice
Training Center at Golden West College
Past Instructor - Saddleback Community College
Instructor / Presenter of law enforcement training to in-
service officers or departments
Instructor / Presenter for ASLET National Conference
Member of ILEETA
Specific area of expertise - arrest and control tactics and
baton techniques, use of force, police procedures &
practices, DUI, SWAT Operations, Report Writing,
Supervision and Training
Instructor - Huntington Beach Police Department
Instructor - Commission on Peace Officer Standards and
Training, Institute of Criminal Investigation Instructor
Workshops & Master Instructor
Certified TASER Instructor
Consultant - Commission on Peace Officer Standards
and Training, State of California
Declared Police Tactics / Use of Force Expert Municipal,
Superior and Federal Courts within the State of California,
Arizona, Oklahoma, Utah and New Mexico

PUBLICATIONS

Cope, Jeff, Goddard, Ken. **WEAPONLESS CONTROL FOR POLICE AND SECURITY PERSONNEL**, Charles Thomas Publisher, Springfield, Illinois, August 1979.

Cope, Jeff, **Arrest and Control Techniques Student Syllabus for Instructors**, California POST (Master Instructor Thesis), 1993

Cope, Jeff, DOCUMENTING **THE USE OF FORCE**, Journal of California Law Enforcement, Volume 30, Number 1, March 1996, California Peace Officers' Association Publisher, and The ASLET Journal, March/April Issue, 1996.

Cope, Jeff, Five-**Step Method to Regional Crime Analysis**, The Police Chief Magazine, May 1998.

Cope, Jeff, **California Investigator Training**, The Law Enforcement Trainer, The Journal of the American Society for Law Enforcement Trainers, January / February 1999.

Cope, Jeff & Fraser, Jim, **A Trainer's Perspective**, The Follow-up, A Training Newsletter for California Law Enforcement Investigators, Robert Presley Institute of Criminal Investigation, Commission on Peace Officers Standards and Training, Volume 4, Number 2, October, 1999.

Cope, Curtis J., **Report Writing Review A Supervisor's Mandate**, The Law Enforcement Trainer, The Journal of the American Society for Law Enforcement Trainers, Volume 17, Number 8 May/June, 2002.

Cope, Curtis J., **Building Training from Lessons Learned – A Checklist to Successful Training**, The Journal of California Law Enforcement, California Peace Officer's Association, Volume 37, Number 1, 2003

Cope, Jeff & Less, Karen, **Course Development: How Long Should It Take**, The Law Enforcement Trainer, The Journal of the American Society for Law Enforcement Trainers, Volume 18, Number 6 November/December 2003

Cope, Curtis J & Swobodzinski, Kimberle, A, **Using Forensic Equipment to Enhance Use of Force Investigations**, Journal of California Law Enforcement, Volume 39, Number 3, 2005

Cope, Curtis J., **Enhancing Use of Force Training**, Illinois Law Enforcement Training & Standards Board Executive Institute FORUM, Volume 7, Number 3, March / 2007 and Law Officer Magazine, Volume 3, Issue 6, June 2007

Cope, Curtis J., **A Guide To Life After Law Enforcement**, LawOfficer.com, May 30, 2008.

Cope, Curtis J. & Joseph Callanan, **What Is The Standard On Use Of Force**, LawOfficer.com, July 29, 2008.

Cope, Curtis J. & Joseph Callanan, **Understanding the Objectively Reasonable Standard**, LawOfficer.com, September 30, 2008

Cope, Curtis J. & Joseph Callanan, **Applying the Objectively Reasonable Standard**, LawOfficer.com, October 30, 2008

Cope, Curtis J. & Joseph Callanan, **Understanding the Objectively Reasonable Standard: Self Defense**, Law Officer.com, December 29, 2008.

Cope, Curtis J. & Joseph Callanan, **Understanding the Objectively Reasonable Standard: Defense of Others**, LawOfficer.com, January 2, 2009

Cope, Curtis J. & Joseph Callanan, **Understanding the Objectively Reasonable Standard: Effectuating An Arrest**, LawOfficer.com, January 29, 2009

Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard: Prevent an Escape**, LawOfficer.com, March 30, 2009

Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard: Overcome Resistance – Part One**, LawOfficer.com, June 17, 2009

Cope, Curtis J. and Joseph Callanan, **Understanding the Objectively Reasonable Standard: Overcome Resistance – Part Two**, LawOfficer.com, September 2, 2009

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard: Overcome Resistance – Part Three, LawOfficer.com, September 23, 2009

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard – Taser: Objectively Reasonable Force, LawOfficer.com, November 4, 2009

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard – Elements of Supervision – Part One, LawOfficer.com, May 24, 2010

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard – Elements of Supervision – Part Two, Law Officer.com, August 27, 2010

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard – Elements of Supervision – Part Three, LawOfficer.com, December 21, 2010

Cope, Curtis J. and Joseph Callanan, Understanding the Objectively Reasonable Standard – Elements of Supervision –Part Four, LawOfficer.com, July 8, 2011

Cope, Curtis J. and Gray, Michael, **Meeting Your Training Needs Simply and Effectively**, California Peace Officers' Association Training Magazine, July 2015

AWARDS

In excess of 125 awards or commendations during active law enforcement career
California POST Institute of Criminal Investigation
Instructional Excellence Award for the years of 2000 / 2001
California POST Institute of Criminal Investigation Founders
Award for Leadership in Instructional Excellence 2006
Mentoring Excellence Award, California POST Instructor
Symposium, 2009
Excellence in Redesigning the Institute of Criminal
Investigation Instructor Course, 2010 & 2011
Mentoring Excellence for Instructor Development Institute
Mentor Program, 2013

ASSOCIATIONS

Member International Association of Chiefs of Police
Member of California Peace Officers Association

Member International Law Enforcement Educators and Trainers Association
Member of Master Instructor Development Program Association
Member of Retired Peace Officers Association of California

P.O.S.T. CONSULTING

1. **Peace Officer Killing Study** 1986, 1987
Study reasons for California Officers being assaulted & killed in the line of duty. Made recommendations to P.O.S.T. to change training at basic academy level - Adopted
2. **Basic Course Waiver Skills Test** 1985, 1986
Developed 3-week mini academy for officers to be re-certified for police officer powers, waiving need to attend basic academy
3. **Carotid Restraint Performance** 01/87
Objectives 12.6.6
Reviewed current teachings & made recommendations for changing P.O.S.T. teaching guidelines - Adopted by POST
4. **Basic Academy Patrol Procedures** 03/85
Reviewed current teachings & made recommendations for changing P.O.S.T. teaching guidelines - Adopted by POST
5. **Instructed Instructors re Carotid Restraint** 03/87
P.O.S.T. Seminar at Orange County Sheriff's Academy
Taught & updated academy instructors in new P.O.S.T. guidelines for carotid restraint instruction
6. **Arrest & Control Performance Objectives** 1981, 1983
1985, 1987
Reviewed current teachings & made recommendations for changing P.O.S.T. teaching guidelines - Adopted
7. **Institute of Criminal Investigation** 1993 to present
Instructors Up-date Course,
Developed Course / Instruct new methodology of classroom presentation to potential new instructors
8. **Use of Force / Arrest & Control** 1993, 2003
Reviewed current teaching & made recommendations for changing P.O.S.T. teaching guidelines - Adopted

9. **P.O.S.T. Strategic Planning Steering Committee 1995**
Facilitated committee's study of future direction P.O.S.T. will take during next ten years
10. **P.O.S.T. Controlling Violent Subjects 05/96**
2-Hour Tele-course, Part One
Participated in preparing material aired
11. **P.O.S.T. Controlling Violent Subjects 11/96**
2-Hour Tele-course, Part Two
Participated in preparing material aired
12. **P.O.S.T. Institute of Criminal Investigation 1996, 1997**
Homicide Investigators Course Development @ LAPD/LASD
Facilitated development of course material, presentation methods, lesson plans, goals & objectives
13. **P.O.S.T. Supervisory Course Instructor Update 08/97**
Workshop - Develop Curricula for pilot program that will enhance Instructors abilities to teach new 120 hour Supervisor Course (2 days developing)
14. **Appointed to position of Program Administrator 11/97**
P.O.S.T Institute of Criminal Investigation Instructor Development Workshops. Coordinate Instructor Base, Develop Training and Annual Workshops P.O.S.T Institute of Criminal Investigation Instructor Development Division. Coordinate Instructor Base, Develop Training and Annual Workshops
15. **P.O.S.T. Skills Test for Basic Course (LD#33) 01/98**
Develop and design a testing method, which will satisfy 832PC requirements and will be used as a midterm test in the basic police academy Develop and design a testing method, which will satisfy 832PC requirements and will be used as a midterm test in the basic police academy
16. **P.O.S.T. Workbook Development - Basic Course 01/98 (LD#33)** - Develop Student Self Paced Workbook for Learning Domain #33 which deals with Weaponless Defense and Impact Weapons
17. **P.O.S.T. Supervisor Course Instructor Up-date 1998/1999**
Instruct instructors in new methodology of classroom presentation skills (3 Pilot Programs)

18. **P.O.S.T. Investigating the Use of Force Course** 09/99
Facilitated the pilot course put on by Inyo County Sheriff's Department Lieutenant Steve Rogers presenter, fulfilling requirements for his Master Instructor Development Program - 32 Hours
19. **Institute of Criminal Investigation (POST) AIM** 02/00
Focus Group - Project to explore and develop software that will assist instructors or administrators in the development and/or management of training material.
20. **Master Instructor Development Program (POST)** 09/01
Curriculum review process for presentation of instruction for future classes.
21. **Safety Guidelines for POST Students (POST)** 06/03
Review of Safety Guidelines for all Peace Officer Training conducted by POST. Recommend changes for adoption by the Commission.
22. **Master Instructor Development Program (POST)** 2003
Planning committee for conference of instructors. Selection of Curriculum
23. **POST Workbook Development - Basic Course** March/April 2004
Reviewed current teachings & made recommendations for changing P.O.S.T. teaching guidelines. LD 20 & 33
24. **Academy Instructor Facilitation Skills Course – Pilot** May 2005
Present model to change method of instruction from an instructor centered lecture to adult model active student centered
25. **POST Instructor Symposium Planning Sessions – 2005 – 2012**
Assist in planning annual Symposium curriculum for Statewide Instructor Skills conference
26. **POST “Investigation Supervisor Case Management Course” – 2009**
Sit on committee to design a new course for Investigation Supervisors and mentor MICC student through all stages of development of this course.
27. **POST Institute of Criminal Investigation Instructor Course Redesign 2010 & 2011**
28. **POST Tactical Leadership Institute Planning Session @ San Diego Regional Training Center 2014**

S.W.A.T. EXPERIENCE

During my career at the Huntington Beach Police Department I have been assigned to the Special Weapons and Tactics Team on three different occasions. The first assignment was between the dates of September, 1974 to February, 1977. The second assignment was between March, 1978 to June, 1980 and my third assignment was between the dates of May, 1987 to June, 1990.

During my assignments to the S.W.A.T. Team I held the positions of gas man, sniper, entry team member, scout and team leader. I have qualified with several types of handguns, shotguns, rifles, gas guns and machine guns. In addition to firearms, I also qualified in the use of distraction devices and gas deployment. I was also the team instructor in arrest / defense tactics.

Training for the S.W.A.T. Team consisted of at least one day per month (10 hours) in which the training would be broken up into weapons qualification and practical skill drills. These training days represent almost 1,000 hours of practice. In addition to those training days I have received in excess of 450 hours of specialized training from United States Marine Corps, F.B.I., Department of Justice, Secret Service, California State Police etc. I have attended the basic S.W.A.T. course hosted by the Criminal Justice Training Center at Golden West College in Huntington Beach and the S.W.A.T. Commanders Course hosted by San Joaquin Delta College in Stockton, CA. I have taught in the S.W.A.T. basic course at Golden West College.

I have participated in numerous call outs in which the S.W.A.T. Team was deployed. In addition to call outs, I have been in charge of planning for the security of the Vice President of the United States, the Governor of California, other United States & State officials, military V.I.P.s and government officials from other countries, when those persons visited the City of Huntington Beach.

In April - 1993, I assumed temporary command of the S.W.A.T. team. I took over the team as its acting commander during the absence of the existing commander. I held that position for approximately six months. I relinquished command upon the return to duty by the unit leader.

LAW ENFORCEMENT TRAINING

Basic Academy-Orange County @ Orange Coast College	1968
Driver Training-L.A.S.O.	1969
Tear Gas	1970
Basic Weaponless Defense-Instructors CSC L.A. (84 hours)	1970
S.W.A.T.-Camp Pendleton	1971
Advanced First Aid	1972
Emergency Vehicle Operation	1972
Mutual Aid/ Civil Disorder Training -O.C.S.D.	1972

Police Motorcycle Operation	1972
Traffic Program Management Institute -Kellogg West	1973
Advanced Officers Course	1974
Advanced Drivers Training	1974
Hazardous Devices - O.C.S.D.	1974
Advanced Officer Training	1975
Legal Education Update -CSU Long Beach	1975
Officer Survival - C.S.T.I.	1975
C.P.R.	1976
Doppler Radar Operation	1976
Motorcycle Training -C.H.P.	1976
Techniques of Teaching - U.C.L.A. extension	1976
PR 24 Baton Training	1976
Traffic Accident Investigation - C.H.P.	1976
C.P.R. / First Aid Update	1977
Legal Education Update - CSU Long Beach	1977
P.O.S.T. Supervisor Course - Golden West College	1977
Internal Affairs -CSU Long Beach	1978
Report Writing	1978
Civil Emergency Management - C.S.T.I.	1978
Advanced Officer Training - F.B.I.-L. A.	1978
Hostage Negotiation - Rio Hondo College	1978
Chemical Agents - F.B.I.	1978
Protection of Public Officials - CSU Long Beach	1978
Urban Terrorist Activity - D.O.J.	1978
Legal Education Update - CSU Long Beach	1979
Advance Officer Training	1979
Investigation of Violent Crimes - C.S.T.I.	1980
Outlaw Motorcycle Gangs	1981
Assertive Supervision	1981
Alcohol & Drug Recognition - D.A.R.T.	1982
Hazardous Materials	1982
Interview and Interrogation	1983
Skid mark Analysis - C.H.P. Redwood College	1983
Supervisor Update - Chapman College	1984
Traffic Collision Reconstruction & Investigation	1985
Basic Academy Patrol Procedures - P.O.S.T.	1985
Practical Teaching Methods	1985
Nova Stun Gun	1985
Advanced Officer Training	1985
Management Training	1986
Progressive Discipline	1986
Weaponless Defense/ Carotid Restraint	1987
Protective Operations - Secret Service	1987
P.O.S.T. Killing Study	1987
P.O.S.T. Officer Survival	1987

Incident Command System	1987
S.W.A.T. Academy - Golden West College	1988
Advanced Officer Training	1988
Supervisor Update Seminar – 24 Hours	1988
S.W.A.T. Commanders Course -San Joaquin College	1988
White Hate Groups - D.O.J.	1989
Gang Seminar - D.O.J.	1990
Gang Awareness - San Bernardino S.D.	1990
Patrol Manpower	1990
Management Course - P.O.S.T. 80 hours	1990
Tactical Baton Instructors - ASP Santa Monica 16 hours	1991
Master Instructors - P.O.S.T.-Sacramento 80 hours	1991
Master Instructors - P.O.S.T.- San Diego 16 hours	1992
Master Instructors - P.O.S.T.- San Diego 16 hours	1993
Master Instructors - P.O.S.T.- San Diego 16 hours	1993
Use of Force - P.O.S.T. - Costa Mesa 24 hours	1993
Master Instructors - P.O.S.T. - San Diego 40 hours	1993
Master Instructors - P.O.S.T. - San Diego 8 hours	1994
Manufacture Rock Cocaine - D.O.J.	1994
Civil Disorder - L.A.P.D. Lt. Hillman 4 hours	1995
Lessons of Rodney King -Mike Stone 4 hours OC Homicide	1995
Oklahoma Bombing Incident - C.P.O.A. 4 hours	1995
Tactical Driving - H.B.P.D. 4 hours	1996
Use of Force/Arrest & Control - L.A.P.D. 8 hours	1996
Police Liability - C.P.O.A. 4 hours Capt. Jim Nunn	1996
Police Managers Liability - C.P.O.A. 4 hours M. Mayer	1996
Leadership - P.O.S.T. - 2 hours	1997
Vehicle Pursuit Training - P.O.S.T. - 1 hour	1997
Master Instructor Update - P.O.S.T. - 20 hours	1997
Use of Force Seminar - A.S.L.E.T. - 24 hours	1997
Tactical Scenarios - HBPD - 4 hours	1998
MP-5 Familiarization - I.T.R. (Long Beach Range) 3 hours	1999
Master Instructor Update - P.O.S.T. - 24 hours	1999
Investigating Use of Force - Inyo County - 32 hours	1999
Instructor Development - Institute of Criminal Investigation	2000
O.C. Gas Training - Criminal Justice Training Center GWC	2000
ICI Administrators Course - P.O.S.T. 24 hours	2000
Master Instructor Conference - P.O.S.T. 24 hours	2001
Institute of Criminal Investigation - P.O.S.T. 32 hours	2001
Golden West College/HBPD - F.A.T.S. Training 1 hour	2001
Less Lethal Instructors Course - I.T.R. Anaheim PD 16 hours	2002
Use of Less Lethal Force: Legal Issues - ASLET 2 Hours	2003
Canadian National Use of Force Framework - ASLET 2 Hours	2003
Trainer's Role in Force Investigations - ASLET 4 Hours	2003
Questionable Police Shootings - ASLET 4 Hours	2003
Training Managers Open Forum - ASLET 4 Hours	2003

Positional Asphyxia & Sudden Death - ASLET 2 Hours	2003
Use of Force Investigations – Covina PD – 24 Hours	2003
Master Instructor Conference – P.O.S.T. – 28 Hours	2004
When the Batter is a Police Officer – ASLET 2 Hours	2005
Current Issues Physical Force – ASLET 4 Hours	2005
Force Science Research Center Data – Dr. Lewinski 4 Hours	2005
Terrorism Liaison Officers Role in School – 24 Hours OCSD	2005
Law Enforcement Liability – ASLET 4 Hours	2006
Shoot/Don't Shoot – ASLET 2 Hours	2006
Force Science Research Center Data – Dr. Lewinski 2 Hours	2006
Less Lethal Issues – ASLET 4 Hours	2006
Tactics for Dealing with Celebratory Disturbances 2 Hours	2006
Pre-Incident Indicators of Terrorism – ASLET 2 Hours	2006
Weapons of Mass Destruction & First Responders – 4 Hours	2006
Sudden In-Custody Deaths – ASLET 4 Hours	2006
Fourth Amendment Use of Force Model – ASLET 4 Hours	2006
Master Instructor Conference – P.O.S.T. – 28 Hours	2006
Long Beach PD Abe/Wade O.I.S. – CPOA 4 Hours	2007
Taser Instructor's Course – Taser International	2008
Instructor Symposium – P.O.S.T. – 28 Hours	2009
Mentor Training – POST – 8 Hours	2010
A.E.L.E. Lethal & Less Lethal Force Workshop – 22 Hours	2010
Instructor Symposium – P.O.S.T. – 28 Hours	2010
Instructor Symposium – P.O.S.T. – 28 Hours	2011
Instructor Symposium – P.O.S.T. – 28 Hours	2012

TESTIMONY

Wilson v City of Long Beach CV 09-03544 PJW	02-2012 Trial
Lugo v City of Los Angeles BC 449672	03-2012 Deposition
Koziel v City of Norco RIC 522773	03-2012 Deposition
Barnes v City of San Bernardino CIVSS 807102	03-2012 Trial
Colson v City of Bakersfield 1:10-CV-01776 OWW	05-2012 Deposition
Guillory v Orange County Sheriff's Department 30-2008-00212410-CU-CR-CXC	05-2012 Trial
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30-2011-00460392

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BC 397873

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56-2011-00405522-CV-PO-VTA

08-2012 Deposition

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CV 11-10310 SVW

09-2012 Deposition

Harb v City of Bakersfield
56-2011-00405522-CV-PO-VTA

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BJ v Secor
CV 11-10797 RGK

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CV 11-10797 RGK

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BJ v Secor
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Mam v City of Fullerton
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Moses v City of Huntington Beach 30-2012-00540509	05-2013 Deposition
Pierce v County of Sierra 2:11-CV-02006 AWI	05-2013 Deposition
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Simpson v County of Los Angeles TC 025257	05-2013 Trial
Mohoff v City of Huntington Beach 30-2012-00541748	06-2013 Deposition
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Slama v City of Madera 1:08-CV-0810 AWI	08-2013 Trial
Moore v City of Atwater 1:11-CV-01620 SMS	10-2013 Trial
Feiman v City of Santa Monica CV 12-3549 JGB	11-2013 Trial
Martin v City of Brea SACV 12-1846 JVS	12-2013 Deposition
Sarmiento v County of Orange SACV-06-0586 DOC	01/2014 Trial
Rogoff v County of San Bernardino CV-12-04218 DSF	01/2014 Trial
Slaughter v City of Bakersfield S-1500-CV-271472 LHB	01/2014 Deposition

Cota v County of Kern 1:12-CV-01618 JLT	03/2014 Deposition
Barmore v City of Rockford, IL USDC (Northern District of Illinois Western Division 09-C-50236 PGR xPMM	07/2014 Deposition
Munoz v County of Riverside RIC 1207941	07/2014 Deposition
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Garcia v City of Huntington Beach SACV-12-01779 DOC	08/2014 Trial
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Martin v City of Brea SACV-12-1846 FMO	10/2014 Trial
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Gonzalez-Chavez v City of Bakersfield 1:12-CV-02053 AWI-JLT	02/2015 Trial
Engert v County of Stanislaus 1:13-CV-001126-LIO-BAM	02/2015 Deposition
Godoy v California Highway Patrol 13-CV-00194 GPC	04/2015 Trial
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BC 470993

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Gibson-Roc v City of Culver City 12/2015 Deposition
BC 531502

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SACV-15-00021 JLS

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BC 470993

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CSMCS # RC-14-0380

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CIVDS1311642

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